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ABSTRACT

This book is a collection of transcripts from an eight-part radio series entitled: "Race Against Time: School Desegregation." Each program in the series focuses on a different American community with the intent of historically tracing the struggle for equal education and the fight against segregation. Discussions of various issues are presented in an interview format between key spokespersons and program commentators. Included among the spokespersons are school administrators, students, teachers, representatives of special interest groups, political scientists and parents who are currently involved in education or who were active in the public school system during the inception of desegregation. Among the issues discussed are anti-busing sentiments, white resistance to integration of neighborhoods, school strikes, economic and social discrimination practices, and possible solutions to racial problems. (JCD)

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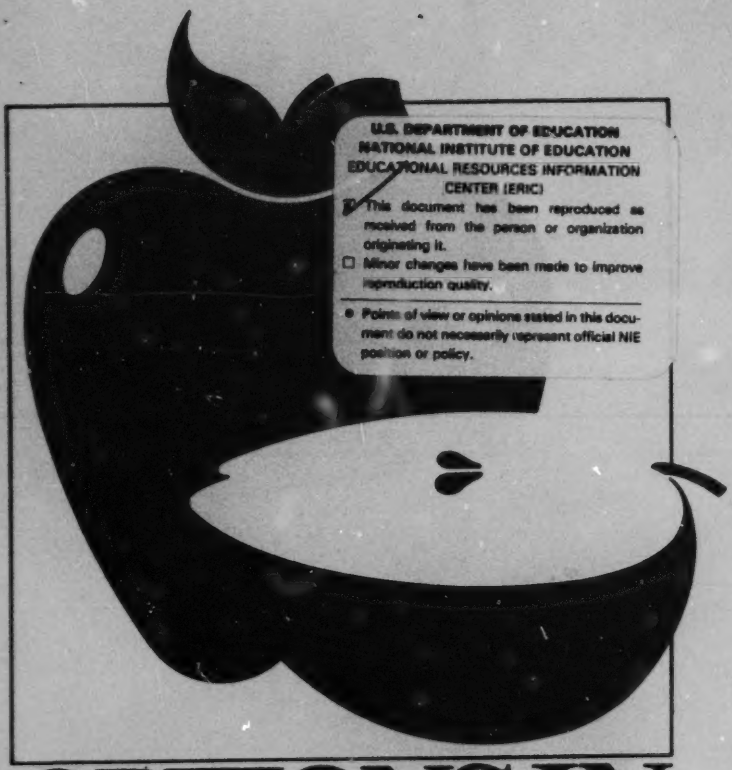

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OPTIONS IN EDUCATION

takes listeners to the core of the issues

RACE AGAINST TIME: SCHOOL DESEGREGATION, PARTS 1-8, PROGRAMS NOS. 250-257

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"School Desegregation: Part One"

MATTIE DE LAINE

DE LAINE: They first started out to get a bus for the children to go to Scott's Branch School. It was so far for them to walk.

MERROW: And the white kids did have a bus.

DE LAINE: The white children had a bus, and at times the white children would pass the black children and spit at them or throw paper and that kind of stuff, from the bus. The county would not give them a bus. They bought a used bus and attempted to fix it up. Each black paid so much to ride the bus, and they tried to maintain the bus like that, but they found that they couldn't because they didn't want anybody to work on the bus that wouldn't sell them parts for the bus, and so they just got the parts and the gas the best way they could, and they used the bus for awhile, as long as they could keep it going, but it wasn't very long. And so they started complaining about it, and they asked my husband what he could do to help them.

REINHARDT: Her husband, the Reverend Joseph A. De Laine did help those South Carolina parents back in 1947.

MERROW: When the parents' requests for help were denied by the white superintendent and the white school board, they filed suit.

REINHARDT: That law suit and others culminated in the United States Supreme Court decision in 1954 that declared school segregation unconstitutional. I'm Barbara Reinhardt.

MERROW: I'm John Merrow, for Options in Education, with the first in a series on school desegregation.

REINHARDT: Brown versus Board of Education is the name of the 1954 Supreme Court case, but it actually involved cases from five areas.

MERROW: Kansas, Virginia, Delaware, the District of Columbia and South Carolina.

REINHARDT: In 1947, when Reverend De Laine tried to get a school bus for black children in Clarendon County, schools were legally segregated in South Carolina, everywhere else in the south and in some non-southern states as well. Separate but equal schools were acceptable, according to the 1896 Plessy versus Ferguson decision by the Supreme Court.

MERROW: In Clarendon County, South Carolina, where nearly all blacks were poor and 35 percent were illiterate, schools were separate but hardly equal.

REINHARDT: Mattie De Laine, the minister's widow, was a schoolteacher then.

DE LAINE: The schools were not equal. The black schools had potbellied wood stoves or coal stoves, and the children had to do the fire, make the fire. There were no janitors at the black schools, while at the white schools there were janitors. And in fact, the white school in Summerton had a janitor, and because his wife signed a petition, they fired him. But the black schools had no petition, and sometimes in the black schools we had as many as 65 and 70 children in one grade. I myself one year had 65 first graders in the first grade. And I had to make a double shift. Some would come in the morning and go home at 11:30, and the other part would come. And dividing the class, it was really too many children for one teacher at one time.

MERROW: Books?

DE LAINE: Well, we rented old books, used books. We never got new books. Our books were always the books that the whites had used.

MERROW: One of the things the white people said was that, well, the black children didn't come to school anyway, maybe two, three days a week at the most, so therefore they didn't need better schools.

DE LAINE: Well, black children did. They had regular attendance. In the fall of the year they would stay out for awhile, picking cotton, but that wasn't for long. That was maybe a week or so. And then they came. When they started school they came pretty regular. And at Scott's Branch and Summerton the children came regular. On rainy days even the attendance was pretty good. They would be late getting to school because they had to walk. But their attendance was good.

Well, I don't know. They said that because they wanted them out to pick the cotton. They didn't feel that the black children should come to school until Mr. X got his cotton all out of the fields.

MERROW: It was in the interests of the white people to keep blacks chained to the land and ignorant.

DE LAINE: Yes, it was some. There were one or two whites, I imagine, at least I think there were a few, who thought about a black child. But on the average, the majority of them felt that the less education they had the more free labor they could get.

REINHARDT: Matty De Laine. Before the case was over, she and her husband had to flee the state. Their house, barns and church were burned to the ground.

MERROW: Blacks who were associated in any way with the fight for equal schools lost their jobs. Teachers, salesmen, gas station attendants.

MANY BLACKS, HOWEVER REMOTE THEIR ASSOCIATION WITH THE STRUGGLE, LOST THEIR JOBS

DE LAINE: Harry Riggs was a garage attendant, and they fired him and they fired another man whose name was Stookes, and after -- he was working at a filling station also. After they fired him, he attempted to try to work in his back yard, and so he was working on a car and not having the proper things to use for the car, he had jacked the car up on a homemade shift, and the car fell on him and killed him. And James Brown was working for a trucking company. I don't recall the trucking company. They fired him. And they fired teachers who they thought had signed it. My husband had two sisters working in the district. They were fired. He was fired. And I was fired. And even the parents who signed the petition, they wouldn't let them have loans to -- for their crops the following year. And of course the people stopped buying groceries, some of them, and they'd even go to Sumter and Columbia and other places to buy groceries, and they would cut off everything that they thought was helping the petitioners.

REINHARDT: Matty De Laine. The pressure from the white community was intense, and about 80 of the original 100 blacks who signed the first petition took their names off before it was filed in Federal Court.

MERROW: Early in the case, the NAACP got involved, strengthening the local leadership. The NAACP's chief attorney in the South Carolina case was a young black named Thurgood Marshall, just one of a group of social activist lawyers trained at Howard University in Washington, under the direction of Charles Houston.

REINHARDT: Harold Boulware, another product of the Howard Law School, was the local attorney in the case, the only black attorney in the state who would handle civil rights cases. Boulware worked closely with Thurgood Marshall.

HAROLD BOULWARE REMEMBERS HIS COLLEAGUE, THURGOOD MARSHALL

BOULWARE: He was a person who strove for perfection in everything that you did, and every now and again he didn't take credit for his perfection to himself. He would give it to some other person. Many a time he has stated for the press what ideas that were promulgated and gave me credit for it. He was the type of a person who did a whole lot of research, and he was the type of person who gave his all to his cause. He believed in his cause. He believed in what he was doing. He wasn't doing it for any -- to be a member of any popularity poll. I think he believed genuinely in the human rights of the black man.

MERROW: Tell me about the meetings that you, the attorneys,

would have.

BOULWARE: There were a corps of attorneys, all these men. They were young, energetic. I was in my early thirties. Thurgood was in his thirties. But most of the persons except possibly Alexander Lubie and Charlie Houston, a little older than we were, but they were energetic persons. But we worked and we worked, and played like hell.

MERROW: At those meetings did somebody role play the white segregationist argument? How did you work it?

BOULWARE: Oh, yes. Well, we'd have someone who played the devil's advocate, of course. We had to have someone to do that, in order for us to know exactly how to meet it. We had, oh, every now and again somebody else would play the devil's advocate and the role of the white plaintiff, the white defendant, or the white lawyer, or the white judge, for that matter.

MERROW: I have this image of a lot of tension, and yet at the same time a lot of laughter. Is that a fair characterization?

BOULWARE: Yes. I think there was a lot of tension, but at that time we were not disposed of admitting that we were scared. You know, now you don't mind admitting you are scared. We didn't admit we were afraid. We didn't admit that we were afraid, but we were.

REINHARDT: Harold Boulware. He's now a family court judge in Columbia, South Carolina.

MERROW: Thurgood Marshall and the other black lawyers had their work cut out for them, separate but equal, the doctrine that the Supreme Court approved in 1896 was very much a part of American law and tradition.

REINHARDT: Richard Kluger, the author of, "Simple Justice," a history of the fight against school segregation.

RICHARD KLUGER, AUTHOR OF 'SIMPLE JUSTICE'

KLUGER: The problem was the Supreme Court of the United States in 1896 did say very clearly that so long as the facilities were equal there was no harm, except in the minds of the segregated people, the blacks. No harm was intended. Now, everyone knew why the blacks were being segregated, namely because whites thought they were unfit to associate with. But that was the unspoken hypocrisy of it. Between 1896 and 1927, on about half a dozen occasions, the Supreme Court upheld that ruling. So you had a firm precedent in law, and the small group of black lawyers who educated themselves, they were a self-created corps of black lawyers who could match brains with any group of

comparable white men in the country, I would think, at that point, were proceeding with great caution because they did not want to risk losing another century of time, to pick an arbitrary time. If they had come up to fight the case on a direct collision, which these intervening decisions had been taken a little piece of it, but this was to be a headon collision with that Plessy versus Ferguson decision. If they had lost it, they felt it would have been ground they could not have recovered. And so they were very hesitant. They were trying to take it piece by piece. In fact the policy that was adopted was to say, "Look, you cannot really have -- you're not having equal schools. The facilities are not being provided by the segregating states. Therefore we're entitled to have integrated schools." Not on the principle. Not on the constitutional issue, but on the practicality of it. And that would have gone on forever, though. They would have had to argue in every school district in the country. You'd have to come in on the facts and argue to a different district court, and it could have been appealed and that would have taken forever.

REINHARDT: Richard Kluger, author of, "Simple Justice."

MERROW: The NAACP lawyers were reluctant to challenge separate but equal headon, and had been following instead a strategy usually called equalization. They said, in effect, okay, the law says we're entitled to equal facilities, so give them to us.

REINHARDT: But in the Clarendon County case, the lawyers went further.

MERROW: They began attacking segregation itself, saying it did real damage to black children.

REINHARDT: Some of the evidence came from a young sociologist, Kenneth Clark. Harold Boulware remembers.

HAROLD BOULWARE

BOULWARE: He had in his bag two dolls, both dressed just alike. Both with the same kind of clothes on. The only difference in the two dolls was one was white, the other was black. So he would take a group of students or one or two students into his examining room and he would ask one of the students, "I show you two dolls. Which is the good doll and which is the bad doll?" The black students would point to the black doll.

MERROW: As the --

BOULWARE: As the bad doll, "Which is the dirty doll and which is

the clean doll?" Now, remember, both dolls are just alike except in color. The both are clean. "But which is the dirty doll and which is your clean doll," he would ask this black student and this black student would point at the black doll. "Which is the smelly doll and which is not the smelly doll?" The black doll. "Which is the smart doll and which is the dumb doll?" The black student would point at the black doll as the dumb doll. And all the way down the line. Every time that there was anything that was bad and it was black, stupid and ignorant was black. Everything that was a smart doll, a clean doll, a sweet smelling doll, brilliant doll, was white. See the concept that they built up? If it's white, you're right. If you're black, get back.

MERROW: Do you think the Supreme Court paid any attention? I know there's a footnote in the decision.

BOULWARE: Well, you can't always tell. Can't tell whether they did or not.

MERROW: Clark's research clearly impressed you. It proved to you what you knew.

BOULWARE: Well, it proved to me that, for instance, in essence a concept that you pick up over the ages. For instance, when I used to walk up to an elevator. I'd wait until all the white folks would get on, and then I'd get on. That's the concept that that's what they're supposed to do. That's the way you're supposed to live.

MERROW: How old were you when you did that?

BOULWARE: 35.

MERROW: When did you stop doing that?

BOULWARE: When I was -- I was 35. When I found out that a black doll and a white doll were no different.

MERROW: So Dr. Clark's research impressed you.

BOULWARE: It impressed me, certainly.

MERROW: What would happen if you did that same test today in Clarendon County?

BOULWARE: You'd never get the same answers.

MERROW: Black kids are better off in Clarendon County?

BOULWARE: Well, they're teaching. You know, do you remember the

old saying they used to say, "Black is beautiful," "I'm black, but I'm proud," and like that? Well, that has come around pretty well.

REINHARDT: Harold Boulware, one of the lawyers in a case that eventually got to the Supreme Court and resulted in the Brown versus Board of Education decision of 1954.

MERROW: That decision outlawed school segregation, but it didn't end it, not in Clarendon County and not in a lot of other places, either.

REINHARDT: Whites came up with various schemes to make it look as if they were complying with the law. Jack Greenberg.

JACK GREENBERG

GREENBERG: The most devastating and I think effective form of resistance was the -- were the pupil assignment laws. Various states led by North Carolina, but others as well, said, well, okay, we'll integrate, but if a black child wants to go to a white school he or she must first fill out an application and satisfy the Superintendent of SChools that it would serve the health, safety and educational interests of the children. And what happened was the children would -- well, first of all, the applications were difficult to get. They were inconvenient to fill out. They had to be notarized. There were very stringent time limits on obtaining them, and then just about everybody failed to comply with the requirements. Maybe a handful of children throughout the south were admitted. There were other things. There were stairstep integration plans. That was you would be admitted in the first grade -- first graders could be integrated one year and second graders another year and third graders another year. That was frequently combined with the pupil assignment laws. There were what were called minority to majority transfer plans. That is if blacks were zoned into a white school and you were a racial minority in a school, or whites were zoned into a black school and they were in a racial minority, they could transfer back to schools of their own race. In effect the way that was worked, you never really physically had to go through the process of going to the school and being transferred. You were nominally assigned to a school and then you were transferred out and so you just stayed where you were. And that was quite widespread.

I think integration crept up to about 3 percent between 1954 and the early '60s, and that 3 percent, 4 percent, depended to a great extent on definitions of what constituted integration.

The final fallback of the southern schools, after all these stratagems were beaten down in case after case, which took many, many years, was the so-called freedom of choice. That is

anyone could go to any school he wanted to. But, because of habit and intimidation and other various pressures, the schools remained largely segregated, though there began to be a bit of seepage at that point.

But the thing that really turned it all around was not what we lawyers were doing. It was the civil rights movement, and that began in the early '60s, with sit-ins and demonstrations and freedom marches and freedom rides and the leadership of Martin Luther King, and that really galvanized and inspired black people to assert their rights vigorously, and it focused on the harm and shame of segregation.

MERROW: Jack Greenberg, then a young NAACP lawyer. Now, Director Counsel of the NAACP Legal Defense and Educational Fund in New York City.

REINHARDT: Desegregation didn't actually come to Clarendon County until 1969, when the court ordered it. By then whites had started a private school. That's where most whites in the county go to school today.

THREE STUDENTS AT ALL WHITE CLARENDON HALL

MERROW: Did your parents every think of sending you to the public school?

STUDENT: No, sir.

STUDENT: No, sir.

STUDENT: No, sir.

MERROW: How come? Did you talk about it at all?

STUDENT: We really don't talk about it that much.

MERROW: It was just automatic, you'd go to the private school?

STUDENT: Yes, sir.

STUDENT: Yeah. All my brothers went there, so I just went there.

STUDENT: You know, before I knew that there was a public school, I thought all blacks went to that school. I thought that public school was for blacks and private schools were for the whites.

MERROW: That's the way it is here, apparently.

STUDENT: That's the way it is.

REINHARDT: Three of the 270 students at all white Clarendon Hall. The Headmistress, Edna Rowe, says no black has ever applied, and therefore she doesn't know whether the school would admit a black.

EDNA ROWE, HEADMISTRESS OF CLARENDON HALL

ROWE: You have to realize that we consider ourselves independent in every way. We accept no help from anyone. Therefore, we feel that it's our right and our privilege to admit whomever we choose and to set our standards for admission. We feel this is very much a part of being independent, and anybody we decided to turn down for whatever reason, this is what we feel we have the right to do, in being an independent school.

MERROW: Do you personally feel that blacks and whites should go to school together?

ROWE: You can't answer that question with a yes or no.

MERROW: Why not?

ROWE: Because it depends on too many factors. There are cases where whites and blacks can go -- I attended universities with blacks, both schools that I attended, and that was a long time ago, before the universities in the south were integrated. I attended the only university in the south that was integrated at that time, the University of North Carolina -- the only state university. And I certainly cannot say that there are not situations where whites and blacks could go to school, and I know they do, very satisfactorily.

Then I think there are other times and places where this is not in the best interest. So I can't just say yes or no, you know, it should always be.

MERROW: Would you like to have black students go into this school?

ROWE: I cannot answer that for you because if I did I would be speaking for the policy of the school, and you are asking me as an individual and whatever I tell you on that will come out as policy of Clarendon Hall. So I won't answer that question.

MERROW: If a qualified black student applied would you want that student to be accepted?

ROWE: Again, I would making policy that we've never made here.

MERROW: People listening to this have to be saying to themselves,

"Hey, the lady is saying --,"

ROWE: She is avoiding the question.

MERROW: " -- she is avoiding the question. She is saying, well, I'm not --," blah, blah, blah, and what that means is we don't want any black people.

ROWE: I know that's what they're saying, but I can't help what they're saying.

MERROW: And you can't deny that, no.

ROWE: What, that I don't want any black people?

MERROW: Uh-huh.

ROWE: Well, see, you're again putting a question to me in such a way that however I answer it will be incriminating, so I just won't answer it.

REINHARDT: Edna Rowe, Headmistress of Clarendon Hall.

MERROW: The few whites who don't go to Clarendon Hall pay $100.00 to go to public schools in Manning, across the river. There the ratio is three blacks for every white student.

REINHARDT: Today, only about a dozen whites go to public school where the law suit began, with about 2,000 blacks.

MERROW: That school district ranks near the bottom in South Carolina in per pupil spending. Most black families there are poor, which means the public schools are filled with educationally disadvantaged children.

REINHARDT: School Superintendent Alonzo Swinton questions whether the Supreme Court decision has made much difference to blacks in Clarendon County.

ALONZO SWINTON, SUPERINTENDENT OF SCHOOLS IN CLARENDON DISTRICT ONE

SWINTON: I am afraid that there hasn't been the type of progress that those individuals who probably envisioned to have taken place in the 25 or years or so, in terms of integrating schools. I still even have my doubts about some of the northern and midwestern. Chicago, where we were, and I know New York City fairly well with my peers, and Philly, Washington, Baltimore, Detroit, you name them. We don't have to go that far. We have the answer here. And I've seen cases where I wonder personally whether it has done any good or not, because we still have the same patterns. I don't know whether we have better

instruction. Probably, in many instances. If that's true it's only because they have the resources to put it into those areas where they haven't been getting it. But I have my doubts. In some cases the decision has helped, and certainly I wouldn't be the one to say let's go back to the good old days, but you know, it hasn't really helped a whole lot here.

MERROW: School Superintendent, Alonzo Swinton.

REINHARDT: Harold Boulware, the South Carolina lawyer for the black parents, puts the school segregation decision in a larger perspective.

HAROLD BOULWARE

BOULWARE: The Brown decision is just a drop in the bucket with regard to touching the principles of education. It touched every facet of segregation. You can get better jobs. You've got more money. You've got better facilities in every respect, not only in school facilities, but facilities we've got for housing, jobs. So that effort that was made back there beginning in 1938, '39, '40, was the thing that started to change the whole transition of a better day for blacks in South Carolina and in the nation.

MERROW: Some people argue that public schools are worse off today, and they blame what the court has done and continues to do in school race cases. It keeps on trying to put the races together and keeps moving and busing and all that sort of thing, and people are losing faith in public schools. Do you care about that? Do you believe that?

BOULWARE: I believe it, but the thing about it is the fact that they have accepted as a fact. Back there in 1954, '55 and '56, all of this wouldn't have happened. But they could not accept it and won't accept it now. And blacks are getting to the place where they're using it now. I'm having a hard time in school because I'm black, and they use it and don't try to do anything for themselves. You know, they had latched onto the concept that was given in Brown versus Board of Education. Why there's no place in the world, especially in the United States, for segregation. All that never would have happened.

MERROW: Maybe the question, Judge, is how deep are the roots of American racism.

BOULWARE: Even now it's deep. Very deep. And it's going to be years before that concept of equality, if it every comes.

(Music over)

SWINTON: How long. How long, as Martin Luther King used to say, how long can we endure this sort of thing. What we don't recognize and what I think that needs to be recognized by all segments of the population is that time is running out, not only in the United States, for white superiority and white supremacy, but the time is coming when people are not going to be judged by their color. People are going to be judged by what he or she can produce.

REINHARDT: We're calling this Options in Education series, "Race Against Time," and before it's over we're going to take you to eight American communities, north, south, east and west.

MERROW: We'd like to reach as wide an audience as possible. We hope some of you will get copies of the series for your schools, church groups, PTA's and so forth.

REINHARDT: The printed transcript of all eight programs, plus a bibliography and statistics on school desegregation today, costs $4.00.

MERROW: The set of cassette recordings costs $18.00.

REINHARDT: Write us at National Public Radio - Education, Washington, D. C. 20036.

MERROW: The complete printed transcript of all eight parts, $4.00. The set of cassette recordings, $18.00.

REINHARDT: And our address again, National Public Radio - Education, Washington, D. C. 20036.

DE LAINE: At first I felt a little bitter when they ran us away from Lake City, but when I was going to New York on the train one morning, everybody was asleep except me. I couldn't sleep that night. I remember this very well. I looked out of a window and it was in October and the leaves were falling and all, and it just seemed like the leaves or something said to me, "Don't be angry with anybody, because they don't know any better." I dozed off and woke up and again, that same thing came to me, and I said, well, I'm not going to be angry with anybody. I'll just give it up. And believe it or not, but from that time on I have had no bitterness toward anybody, even those people who were shooting and who burned the house and whatnot. I don't have any bitterness in me for those people now. And honest to goodness, I pray to God and ask him not to let me have any enmity, not to let me feel mad toward anybody, to keep me safe from my enemies. And of course God has so far. He has blessed me, and I pray that he will still bless me.

MERROW: Options in Education is a co-production of National Public Radio and the Institute for Educational Leadership of the

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REINHARDT: Options in Education is written and produced by John Merrow. Mary Rouse is our Associate Producer, and Rebecca Goldfield is our Assistant Producer. We've had research assistance from Eleanor Fink, and our engineers are John Widoff and Renee Pringle.

MERROW: Some of the material for this program came from Alice Gettle of the South Carolina Educational Radio Network in Columbia.

I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt.

MERROW: This is NPR, National Public Radio.

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"SCHOOL DESEGREGATION, PART TWO"

SAM WILLIAMS WAS A STUDENT AT MOTON HIGH SCHOOL

MERROW: Show me the pictures.

WILLIAMS: Now, this is where we are standing almost now. This is -- we're a little beyond this stoop. There was a water fountain right here, where this white house is, right here. This was a building. And see that house right there?

MERROW: Yes.

WILLIAMS: That's it over there on the corner.

MERROW: Oh, I see.

WILLIAMS: See, that's the same house on the corner there.

MERROW: Oh, I see. There's the stovepipe from the wood stove over there.

WILLIAMS: Yeah. Yeah. This is the same building, I believe. You can't tell because of the size. This was the building over on the other side.

MERROW: That's tarpaper.

WILLIAMS: Right.

MERROW: And there's some lathing there, just to hold it up, hold it in place.

WILLIAMS: That's it. That's all.

MERROW: No insulation?

WILLIAMS: No, no. No insulation. No, heavens no, no insulation at all.

MERROW: So this is your alma mater.

WILLIAMS: Yeah, it is.

REINHARDT: Sam Williams' alma mater, Moton High School, consisted of one brick building and three tarpaper shacks.

MERROW: The all brick, newer and larger high school for whites had more classrooms, better equipment, even athletic fields equipped with lights for night games.

REINHARDT: In 1951 Williams and nearly every other black high school student in Prince Edward County, Virginia, staged a student strike, a walkout. They were demanding better facilities, something closer to what the whites had.

MERROW: Separate but equal was the law in Virginia, every other southern state and many non-southern states as well. As recently as the early 1950's, school segregation by race was perfectly legal. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt, for NPR's Options in Education, with the second in our series on school desegregation.

MERROW: In this report, how a student walkout in 1951 became part of the lawsuit that three years later overturned legal school segregation.

REINHARDT: A senior named Barbara Johns led the walkout.

MERROW: Sam Williams, a high school junior at the time of the strike, took me to the place where it began.

WILLIAMS: Everything was launched, as a matter of fact, right here in this room. Yeah, right up here on the stage. You can't see that now, because of that paneling. But the appeals and everything addressed to the student body and whatnot were made here, and it's right in this complex that we organized. Right there in that same room where you saw Miss Whitehead go in, that was the office. It was Jones's office and it still is.

MERROW: It was Principal Jones's office, and on that day somehow you tricked the principal into getting out of the school.

WILLIAMS: Right.

MERROW: How did you do that?

WILLIAMS: We had two students who went out and called, stating that some kids had gotten into some trouble downtown at the Greyhound Bus Terminal. And he left the building. When he left the building we came together.

MERROW: And that's when Barbara Johns and the others, the leaders, said, "We're going to strike."

WILLIAMS: Right.

MERROW: And what happened? Did the students respond?

WILLIAMS: Yeah. Oh, yeah, we had a good response, a massive response on the part of the students. We just got our program together and outlined it before the body and we left and we vowed not to come back inside of two weeks until we could be promised in writing at least a better facility.

MERROW: What was the School Board's response to the student demands for plans for a new building?

WILLIAMS: They were not in agreement with the things that we had stated, of course. They said that, you know, we could make do, let's say, in the tarpaper shacks around the building that we had.

REINHARDT: White officials refused to meet with the striking students or their adult supporters. They said plans for a new black school were in the works. And the blacks should be patient. The black principal was fired by the white superintendent, T. J. McIlwaine. Among whites, McIlwaine was more or less a moderate.

T. J. MC ILWAINE WAS SUPERINTENDENT OF PRINCE EDWARD SCHOOLS FOR 40 YEARS

MC ILWAINE: I wasn't any hard boiled segregationist. As far as that's concerned. But I believe that the system that we worked under, under the circumstances, was about the most -- because of the tremendous differences in the cultures, you might say, that we could do. And I felt that it was a thing that had -- on my part, I had no animosity of course, because I had good friends among the blacks as well as the whites, and I had a great deal of sympathy for them and tried everything I could to better conditions in the schools. But I couldn't see the sudden enforced integration proposition. It would have to take time to see the -- quite a gap between the general intelligence of one group as compared with the others, to suddenly throw them together and require that this integration. As it was, it was something that I didn't feel was exactly the right approach to it. I had very great sympathy for the nigrahs, but I do think that if they had exercised a little more patience and forebearance, everything was going -- that school was going up. The whole thing was based first on separate but equal. We were perfectly willing to straighten that out. I could see that, did everything I could for years back to try to remedy that. But here the general public idea, well, this school is better than anything they ever lived in at home, and so forth and so on.

REINHARDT: T. J. McIlwaine, who was Superintendent of Schools in Prince Edward County, Virginia, for nearly 40 years, including the period of the strike. He wanted the blacks to be patient, but they were tired of waiting. They wrote a letter to the state NAACP in the capital, Richmond.

MERROW: The Virginia NAACP was the logical place to turn. Throughout the thirties and forties its lawyers had been filing and often winning civil rights suits.

REINHARDT: At one time, the state NAACP had more than 60 law suits in court. The goal of the suits was to force the state to live up to the separate but equal doctrine. That is, to make schooling for blacks equal.

MERROW: Previous legal victories had brought an estimate $50 million in additional salaries for black teachers.

REINHARDT: But by the time the Prince Edward students went on strike, NAACP lawyers had shifted their strategy. Instead of continuing the fight for slightly improved salaries and buildings, they launched an all-out attack on segregation itself.

MERROW: So when the students solicited help in getting better facilities, some of the lawyers were reluctant to take the case. Oliver Hill, one of those lawyers.

NAACP LAWYER OLIVER HILL

HILL: At the time these children called up one afternoon, saying that they'd gone out on strike. My first response to them was, well, you've made a point. Just go on back to school. But they were so insistent, so we told them we'd be through there Wednesday morning, and we would meet with them and make some decisions then as to what we'd do.

Going down there, we were still laughing, because by this time we'd read in the paper these children had come out and was on strike, and they were seniors who would normally finish. This was probably about April, and they would normally finish in June.

But when we got there we found that they'd organized themselves so well, this Barbara Johns, she was so inspirational, so we just didn't have the heart to tell them to go on back to school. We told them, well, if your parents will back you to the point where we will go after -- because, see, all they wanted was better facilities and as a class project, to improve the conditions for the rest of the children. But if their parents were willing to back them to the extent of tackling the segregation head on, well, we would take the case.

To show you how these things go, we had made it an arbitrary practice of using their first names -- of listening to people alphabetically, but it really should have been -- it should have been Johns instead of Davis, because Johns was really the moving spirit in that thing.

REINHARDT: Oliver Hill. He and another NAACP lawyer, Spotswood Robinson, argued the Prince Edward County case all the way up to the Supreme Court.

MERROW: Lester Banks of the NAACP did the organizing.

LESTER BANKS, ALSO OF THE NAACP

BANKS: I got in touch with Reverend Griffin, the late L. Francis

Griffin, and we arranged a meeting, and the meeting, incidentally, was held at the Moton High School. We had about not more than 48 hours notice. The meeting attracted so many adults and students that they were literally hanging out the windows, and that's a fact. We gave the students, through their spokesman, that was Barbara Johns, the opportunity to explain to their parents and to the public why they had called a strike, and they did a magnificent job.

We asked for parents' response, and I was chairing the meeting, and I never shall forget, the response was unanimous with the exception of one elderly gentleman. His name was a Mr. Miller. He's deceased now. But Mr. Miller said, among other things, he said, "Mr. Banks, we don't disapprove of what the children have done, but we think that they should have consulted their parents before asking." And I never shall forget my response to Mr. Miller's query. I said, "Mr. Miller, if the children had consulted their parents there would never have been a strike."

REINHARDT: Lester Banks, then field organizer for the NAACP in Virginia.

MERROW: The case went to trial, but the NAACP attorneys failed to convince a three judge District Court that segregation was unconstitutional. They appealed to the Supreme Court, which heard that case along with four others.

REINHARDT: On May 17th, 1954, the Supreme Court declared school segregation to be a violation of the Constitution. The case is known as Brown versus Board of Education.

MERROW: A year later, the Supreme Court decreed that local districts must desegregate their schools with all deliberate speed, whatever that meant.

REINHARDT: White Virginians took it to mean never, and the power structure responded with a campaign of massive resistance. Prodded by U. S. Senator Harry Byrd, the State Legislature passed laws designed to keep black and white school children separate. Lindsay Almond was Attorney General when the massive resistance laws were approved in 1956.

LINDSAY ALMOND, ATTORNEY GENERAL AT THE TIME

ALMOND: Under the law, if a school became intergrated under court order, then the government could shut down that school.

MERROW: Schools were closed in nine communities, Charlottesville, Norfolk, correct?

ALMOND: That's right, yeah. Charlottesville, Norfolk and Northern Virginia, Arlington, Front Royal. I had to close everywhere.

MERROW: Who closed those schools?

ALMOND: Well, I closed the schools under mandate of state law.

MERROW: Those schools were closed, but they didn't stay closed. What happened?

ALMOND: Well, the federal courts ordered them open again. The Charlottesville schools, Prince Edward schools, and all the schools, the schools in Northern Virginia. They opened up on an integrated basis.

MERROW: So we had a kind of two step process. The court said open the schools on an desegregated basis, and Governor Almond said close the schools. The schools closed. Then the federal courts were asked to intervene again, and they said open the schools. Now, that came January 19th, 1959. Those laws, the massive resistance laws, were declared unconstitutional. And then you reacted. Do you remember how you reacted with that speech? Tell me about that.

ALMOND: Well, I made a terrible mistake in making that speech, and if I had listened to my wife I wouldn't have made that speech. I made a mistake in making that speech.

MERROW: Who wrote it? I mean the language is pretty powerful. You said false prophets, token integration, those who defend or close their eyes to the livid stench of sadism, sex, immorality and juvenile delinquency -- then you went on to offer a vow. You said, "As Governor of this state I will not yield to that which I know to be wrong, with determination more relentless than ever before. We have just begun to fight. No price is to high to pay, no burden too heavy to bear," and so on and so forth. Does that embarass you today?

ALMOND: No. That's the way I felt then.

MERROW: But a week later you changed your mind.

ALMOND: Well, I had to change my mind. I couldn't keep the schools closed.

REINHARDT: Former Virginia Governor Lindsay Almond. If he had tried to keep the schools closed, he would have been in contempt of court and he might have gone to jail.

MERROW: Opening the schools cost him politically, though. He defied Harry Byrd's powerful political machine when he obeyed the Federal Court. Senator Byrd apparently never forgave Almond, and Almond

never ran for state office again.

REINHARDT: Schools reopened everywhere in Virginia except in Prince Edward County, where county officials kept the public schools closed for the next five years, until 1964.

MERROW: Nearly half of the black children received no schooling during those years. Others went to impromptu church basement schools, and some went away to live with relatives in other states or cities. Oliver Hill was shocked by the intensity of the white resistance.

OLIVER HILL

HILL: Really, we felt that the white majority had a greater respect for the law than they did. And there's another case of where you want something to happen, so consequently your wishful thinking blinds you to a lot of other things. I think had we really seriously examined American history, we would have recognized that this is just a -- what do you call it, a facade, or that they never believed in the law or in democracy or in any of these things to the extent that we proclaimed to believe in them. For example, the founding fathers didn't have sufficient faith in the democratic process to give the vote to white women, to blacks or to Indians, or to poor white folks. You had to have a certain amount of property before you could vote. They didn't have sufficient faith in the free enterprise system to pay wages to the laborers rather than keep them in slavery. So when you stop to think about these things --

Then, as they emerged around the world, they adopted this doctrine of the white man's burden, rather than to carry a message of think of what democracy can do, what free enterprise can do, and try to imbue that into other people around the world.

So I say had we really not been so focused on our own particular situation and had taken a wider view of history, maybe we wouldn't have been so optimistic as to what would have happened. But --

MERROW: You might not have worked so hard, either.

HILL: Well, I probably would have worked harder. I might have been more revolutionary. I mean in other words I may have -- rather than to look to the process of law to solve the problem, I might have done like they're doing in a lot of these third world -- and even in this country -- going for violence.

As a matter of fact, we tried to -- once the massive resistance began to manifest itself, then I tried to point out to them, we've been leading the people to believe that we can accomplish our objectives through the lawful processes provided by law. If we fail, then that doesn't mean that negroes are going to stop. It merely means

they're going to use the only other alternative available to them, and that's going to lead to violence. I mean I told plenty of white officials and white people that, and it did.

MERROW: The massive resistance, then, was a real eye opener for you. I mean you really expected that the state and the people of the state had a greater reverence for the law.

HILL: That's right. I really felt that they would say, well, how could we work this out? I mean I didn't expect them to -- everybody to open up all the schools the next day, or everybody to suddenly become integrationist, where he'd been segregationist all his life. But I did expect them to say well, how can we -- what's the best way we can work this out to accomodate the feelings of everybody and bring to fruition the integrated society, which I still think would have been a sensible approach to have taken to things.

MERROW: Well, Governor Almond closed the schools, made an impassioned speech about keeping them closed. But then reopened them. I suspect much of the white community was not in favor of what Almond did, that is reopen the schools.

HILL: Oh, I'm sure they weren't. Yeah, I guess if you had a head count, the majority would have voted to keep the schools closed, rather than desegregate. But after all, Almond was not -- he wasn't an out and out fool, and he had been a judge. He was a good lawyer. This issue had -- a larger issue had been presented, and I think Almond recognized the fact that here now, I've got to raise a bigger issue than whether Virginia will keep segregated schools or not. It was a question of the supremacy of the federal government, and in that issue he knew that he would lose.

REINHARDT: NAACP attorney Oliver Hill.

MERROW: Resistance to desegregation seems to be dying down in Prince Edward County. Today, the public schools are more than 25 percent white, and the percentage of whites seems to be increasing. The black/white teacher ratio is 50/50.

REINHARDT: The tarpaper shacks are gone. The old white high school has been shut down. Old Moton High, the black school, is now an elementary school. The high school that the county built for the blacks in the mid-'50s is now everybody's school.

MERROW: Well, not everybody's. Most of the whites go to Prince Edward Academy. That's the all white private school that whites started in 1959, the year they closed the public schools.

REINHARDT: The principal of Prince Edward Academy, Robert Redd, declined to be interviewed for this program. The Internal Revenue

Service is attempting to remove the school's tax exempt status, on the grounds that it discriminates against blacks. The case is in litigation now.

MERROW: We tried to interview J. Barry Wahl, the publisher of the largest newspaper in Prince Edward County. He also declined to be recorded, but he told me his views. Integration leads to race mixing and inter-breeding, and that weakens white blood and the white race, he said. He makes his views known in his newspaper.

REINHARDT: James Ghee went to a black elementary school at the time of the student boycott. Today, he's an attorney in Farmville, the largest town in Prince Edward County. We asked him to explain the strength and tenacity of white resistance to desegregation.

JAMES GHEE

GHEE: Ignorance, tradition and animosity. I think they all had a part to do with it. A lot of it is I think, though, basically ignorance, in that white Americans have been told that blacks are not equal to them, that blacks are the missing link between man and ape, and anytime you have a country where black persons are not accepted as humans, where the Constitution says you're only three-fourths of a person, it's pretty hard then for the general Joe on the street to say, "Ghee is human." So I think it's several reasons going there to lead to the notion of segregation and the hard efforts that -- I mean the attempts to desegregate and the resistance to that desegregation.

MERROW: Why so strong in Prince Edward County? I mean why was Prince Edward County willing to shut down its schools, a so-called -- I guess it's been called an experiment in ignorance.

GHEE: It was the fact that blacks weren't human.

MERROW: Today?

GHEE: 1959.

MERROW: 1980?

GHEE: Slowly coming around to maybe believing that they might be human, that they might be intelligent. But I still think that in the larger white community there is a feeling or belief that you can't get a good education in the public school system because of the blacks, as you can get in the private academy, because there are no blacks there.

MERROW: It dies hard.

GHEE: Very hard.

REINHARDT: James Ghea, a young attorney in Prince Edward County.

MERROW: Former Governor Lindsay Almond, one of the architects of Virginia's massive resistance, now says desegregation was inevitable and right.

LINDSAY ALMOND

ALMOND: It had to be. Because the facilities for whites and the facilities for blacks were not equal facilities.

MERROW: But, Governor, a lot of people in Virginia, a lot of whites in Virginia, would say, well, let's just make them equal.

ALMOND: You cannot have separate schools and say to the blacks, "You go to this school," and to the whites, "You go to this school," when they're both living in the same area. And it's the responsibility of the states to not distinguish on the basis of race.

MERROW: So you do accept what the Supreme Court said in 1954.

ALMOND: That's right.

MERROW: There are people here in this state and elsewhere who say that's a state's rights question, it's not up to the federal government.

ALMOND: That is -- education is a state problem, but discrimination on the basis of race, of creed, of color, becomes a federal question. Each person, regardless of race or color, is a citizen of the United States and is entitled to equal protection of law. If you can say to the black man, "You send your child to this school, A.," and whites B., to School B., and in the same district, you are discriminating on the basis of race.

REINHARDT: Former Virginia Governor, Lindsay Almond.

(Music over)

BILLIE HOLIDAY: (Singing) "Them that's got shall get, them that's not shall lose, so the Bible says and it still is news. Momma may have. Poppa may have. But God blessed the child that's got his own, that's got his own."

MERROW: We're calling this eight part Options in Education series, "Race Against Time." We'd like to reach as wide an audience as possible, and so we're making transcripts and cassettes available below cost.

REINHARDT: The transcript of all eight programs costs $4.00. The set of cassette recordings costs $18.00.

MERROW: Write to us at National Public Radio - Education, Washington, D. C. 20036.

REINHARDT: All eight transcripts, $4.00. The complete set of cassettes, $18.00.

MERROW: And our address again, National Public Radio - Education, Washington, D. C. 20036.

LESTER BANKS APPLIES THE STORY OF CAIN AND ABEL TO THE DESEGREGATION STRUGGLE

BANKS: You know the story of Cain and Abel. All right. Abel was the shepherd which was the establishment in those days. Cain was the farmer, which was the newcomer, because we had the hunter and the flocks long before we had farming. Now, when they gave -- they had their sacrifices to God, naturally Abel's had more smoke and everything because he was burning grease and all that sort of stuff, while the plants made very poor smoke. Now, of course the Bible tells us that Cain was jealous, but I rather suspect that Abel was standing on the side of the mountain ridiculing his brother and making fun of him, and that sort of thing, which produced the situation.

But regardless of what produced it, whether it was Cain's jealousy or Abel's taking an improper attitude, had Abel had sense enough to have gone down and said, "Listen, now look here, Cain, I see where every time we make a sacrifice my smoke is very abundant and yours is very sparse. I don't know what the difference is. I don't know what the difference in the reaction of God will be, but why don't we, since we're brothers, why don't we put our two sacrifices together. Then we'll send them up as a common sacrifice and we'll both take the benefit of whatever benefits or the responsibility for whatever detriment comes from it." I don't know what would have happened, but I do believe it would have saved Abel's life, and I do also believe that had that attitude taken place at some stage in that early development, we'd worked for a more cooperative approach to our problems, that we'd all be better off today. But we're still ending up as Cain and Abel.

(Music over)

BILLIE HOLIDAY: (Singing) "Momma may have. Poppa may have. But God blessed the child that's got his own, that's got his own. He gots no worry about nothing, 'cause he's got his own."

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REINHARDT: Options in Education is written and produced by John Merrow. Mary Rouse is our Associate Producer and Rebecca Goldfield is our Assistant Producer. Research assistance by Eleanor Fink. Technical assistance by Renee Pringle and Marty Kursias. I'm Barbara Reinhardt.

MERROW: I'm John Merrow.

REINHARDT: This is NPR, National Public Radio.

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BISHOP: I think that the one thing that has held this country together is little people will die to educate their children, even though they themselves never had an education. But we know that if they got something in their head, nobody can rob them. So we struggled to educate our children.

MERROW: For Gardner Bishop, a barber in a poor section of Washington, D.C. in 1947, the struggle took the form of a strike for better schooling for blacks. He led the strike and took part in the lawsuit that grew out of it.

REINHARDT: That lawsuit helped end legal school segregation seven years later. I'm Barbara Reinhardt.

MERROW: I'm John Merrow -- for NPR's OPTIONS IN EDUCATION, with the third in our series on School Desegregation.

REINHARDT: Gardner Bishop was angry about the education his daughter was getting in her segregated school. She went to junior high school, along with 1800 other black children in a school that hadbeen built tohold 600 elementary school students.

MERROW: To get to shop class, the kids had to walk 16 blocks to another school; then back.

GARDNER BISHOP

BISHOP: I didn't want better schools. I wanted at that time, I wanted school. I didn't want better schools, I didn't know what was better and what was not better. You see, the average parent is concerned with the welfare of his child; he really doesn't know what is good for his child. Like if you take your child to a doctor, you take him there and the doctor will tell you what's wrong. You know that something is wrong, but you don't know what's wrong.

Well, we didn't know; we couldn't say what they ought to have in school. I didn't know what they should have or how many hours they should have of this or hours of that. That was the furthest thing from my mind. But I knew that there was something wrong that you got 1800 students when there ought to be 600 students, children sitting on one another -- and then the teachers would tell me, and then I took a copy of the NAACP had made of this survey, and read it and studied it and went over it. And then we became enlightened to what was really happening.

And, the funny thing about it is that we didn't see it as happening between black and white. The truth about the matter was that we saw it as happening to the big blacks and the little blacks, and we saw we were being repressed, not only by the white people, but by upper bracket black people.

REINHARDT: Washington's black establishment didn't embrace Gardner Bishop's fight for better schools. He remembers that the local chapter of the NAACP was against the school strike from the beginning, back in 1947.

BISHOP: The NAACP said we cannot condone what the parents are doing, that they're using the children to carry on their fight. Now we really didn't know what they meant, but we knew they were saying someting that wasn't right about us. So we went to the President of the NAACP and talked

with him.

And then, as the strike wore on, it began to wear thin. The man, the right man that came along that Jim Nabrit owes so much to, all of the black lawyers owe so much to -- he was a big man that wanted to know about little people.

MERROW: Charlie Houston.

BISHOP: Charlie Houston. I went to the NAACP meeting, he was the speaker. Now I didn't go in the meeting, but when they came out of this meeting, I went up to Charlie Houston, and I said, "Lawyer Houston?" and he said, "Yes?" I said, "I'm Bishop" and he said, "Gardner Bishop?" and I said, "Yeah!" He said, "Well, I been wanting to see you." Well, I was right there to be seen all the time, you know; but I had gotten quite a bit of publicity. So I said, "I need a lawyer." I said, "I don't have no money." "You need a lawyer for the people?" "Yeah." "You got one."

And so then Charlie Houston filed five cases. He paid for it. Out of his pocket.

REINHARDT: Gardner Bishop, the Washington barber who brought parents together to demand better schools for blacks.

MERROW: Charles Houston, the man Bishop gives so much credit to, had been fighting segregation for years. The Washington case was only the latest in a long line of lawsuits.

REINHARDT: But Houston's greatest influence was as a teacher. He made Howard University's law school into a first rate institution, and trained the lawyers who would go on to overturn school segregation. Howard had been a night school when Houston took over as Dean.

MERROW: Firmly believing that lawyers must be social engineers, Houston -- and another black lawyer, William Hasty -- gathered around them the brightest young blacks they could find; among them, Oliver Hill, Spotswood Robinson, Robert Carter, James Nabrit, and Thurgood Marshall.

REINHARDT: Standing in the way of improved schooling for blacks was the separate but equal doctrine the Supreme Court had handed down in 1896, Plessy versus Ferguson. The lawyers had a strategy -- William T. Coleman.

WILLIAM T. COLEMAN

COLEMAN: Thurgood Marshall, for example, would be the first one to say that the strategy was developed and started by the late Charles Houston and by Judge Hasty; this was before he went on the bench. And the strategy was, starting back in '33-'34, that the lawyers felt that segregation was un-Constitutional, but that you ought not to start with an all out attack on that.

So what you had to do was to pick cases in which, one, you could always establish that there was inequality, but you always would also argue that even if you had physical equality, you still would have inequality, because segregation per se was unConstitutional.

The next part of the strategy -- and I wish some scholar, somebody would write about it, because I really think it's one of the great romantic legal stories in this country -- is that the cases when they started to develop, started with law schools, and that was in part, because the one thing that you'd feel that any judge would know is that you can't train lawyers separately, and expect them to be able to perform equally, as well.

And then, we always made the argument, and I really think it still makes sense, although the court never really faced up to it, that if you really understood what the people that fought for the 14th Amendment meant, that they meant to outlaw segregation, that it wasn't just a question that you had to show it was unequal; it was just something that shouldn't be.

REINHARDT: William T. Coleman. Jack Greenberg, also a young lawyer at the time, recalls the plan and its early success in higher education cases.

JACK GREENBERG

GREENBERG: The first successful case was in 1935 in Maryland in which a black was ordered, admitted to the University of Maryland Law School, and then there was a case in 1939 that went to the Supreme Court with the same result.

For a number of years, nothing was done because that was the period of World War II, and then in 1944, a woman was ordered admitted to the University of Oklahoma Law School. Oklahoma had said it would build a separate law school for her, but the Court said that she should not be required to wait for that. Well, Oklahoma -- to give you an idea what the times were like then, Oklahoma responded by saying, "Well, we'll provide equality by closing down the white law school, and neither whites nor blacks will have a school" -- and they did that, which provoked a student strike. And they then relented and admitted her, and her name was Ada Lois Sipewell, and she's now Professor at the University of Oklahoma, which I think has some interest.

Texas having had the lesson of Oklahoma before it, and perhaps having more money, went ahead and built a law school for the plaintiff in the case, and the Supreme Court then had to evaluate it: was it equal and then it counted up the books and the law reviews and the money and so forth, and it said, "No, it wasn't equal."

REINHARDT: What was that school like?

GREENBERG: Well, actually, it was in the basement of a petroleum company, and there was only one student in it, and he was supposed to be taught by the University of Texas Law School faculty that came over part time, and he didn't have a library; he was supposed to use the library in the State Capitol Building.

But the Court then went on to say something that laid the groundwork for what followed. It held that they were not only going to measure the tangible facilities that legal education involves a great many intangibles; association with fellow students, development of life long relationships, exchange of ideas with classmates, and so forth -- and that Texas was deficient in that -- the Texas arrangement was deficient in that, too.

And at the same time, they had a case -- the Court had a case involving Oklahoma again, its graduate school of education in which a black student was -- he got all the equality he possibly could have except for the ability to associate with others, he was admitted to the school and ultimately confined to a seat in the classroom for blacks only and had a table in the library and the cafeteria for blacks only.

And the Court said that wasn't equal, either, because he couldn't associate freely with others and exchange ideas and so forth. So that, then, laid the groundwork for the school segregation cases. We felt that the Court understood some of the aspects of what it was that segregation did.

MERROW: Jack Greenberg, then with the NAACP -- now head of the NAACP

Legal Defense and Educational Fund in New York City.

REINHARDT: The battleground for the fight against segregation was the courts -- not the political arena of legislatures and the Congress. Richard Kluger, author of Simple Justice, explains.

RICHARD KLUGER

KLUGER: I think the whole issue of segregation came to the courts because the other parts of government, and certainly our private society, was unwilling to face it. We left it to the courts to settle, and they couldn't -- all they could do was serve as a moral exemplar, which they did. We listened to that, and then we'd sqwak and we'd get angry and we'd say, "Don't make us do that". But we know they're right, they're telling us something; most of us know they're right when we hear a thing like that, and there are other issues.

So for me, it made me feel it works. It's hard and it's bumpy and all kinds of yells and the machinery is squeaky, but it works.

REINHARDT: Richard Kluger, author of Simple Justice, a history of the fight against school segregation.

MERROW: Making the system work was the job the black lawyers had taken on. In Washington, D.C., the lawyer was Charles Houston, but not long after agreeing to help Gardner Bishop and the parents, Houston became seriously ill. Gardner Bishop.

GARNER BISHOP'S MEMORIES OF CHARLES HOUSTON

BISHOP: I knew he was dying; he had a heart condition, he explained his heart -- the doctor told him why his heart was, and he could explain it in detail. Now his father didn't want me there because he said I excited him, and he wanted me there, so there I was in the bedroom. I wanted to stay away because I didn't want to excite him, but I wanted to go because he sent for me. So Whitey, who is now dead, he came and got me and said, "Listen, when Charlie sends for you, you go." So I went.

And he said, "Bishop, sit down, I want to talk with you." He said, "George Hays and Jim Nabrit owe me something. Go to see him (he said) and tell them to take this case" and this is what Dr. Nabrit said. He said, "I read a lot about you" and he said, "You done a pretty good job, but I won't take the case if it's all equalization, it's got to be segregation, per se. Now if you can get me nine students, nine or ten students who come to school and let them be denied sitting with others because they're black, I'll take the case."

MERROW: He wanted to go after the real issue.

BISHOP: That's right. So I said, "Well, I'll get you nine students." So we went over to Anacostia and we got nine students, and all the students we got were people that came out of the projects. You see, I still were with the little people.

MERROW: You took them over to a white school.

BISHOP: Over to Sousa. They had a wonderful prinipal, though, over there, and she said, "You know, Gardner Bishop, I know why you're coming. I can't let you register these children coming in". Took us down to the gym and had us lunch. She said, "You can take the children about and let them see the school." Now they'd never seen this before. Oh, they had sewing

machines, typewriters -- they had everything. I didn't know they had all this. They had an ampitheatre for the music department, and it just looked like something that I had never seen before. They had a gym for the girls and a gym for the boys, and they could let down the curtain and turn the gym into an auditorium. It was wonderful.

She said, "I wish that I could help you" -- she said, "I think you're on the right road. This was the principal. So then I went to Jim Nabor and he said "It's just what I want" and from then on, he took the case, and they handled it brilliantly.

MERROW: Did Charles Houston live to see you triumph?

BISHOP: No. Charlie Houston died -- a week after he told me to go get Jim Nabrit. And I was the only little person that was at that funeral, because it was a big funeral, and I was an honorary pall bearer. And it was the greatest honor I ever had done.

REINHARDT: After Houston's death, the strategy in the Washington case took a turn. James Nabrit and George Hays accepted the case only after the parents agreed to attack segregation head on.

MERROW: Nabrit was then teaching at Howard University Law School. He was working with Thurgood Marshall and the others, but he didn't agree with their strategy.

JAMES NABRIT

NABRIT: Charlie, Thurgood -- none of them gave up, bless them.

MERROW: What you mean is they --

NABRIT: They put it in their briefs because I just insisted that we put in there that segregation, per se, is unConstitutional, but they also had in the same brief, and in their pleadings, this separate but equal doctrine -- Plessy -- so that when they would get in the court, they weren't paying attention to the point that I was making. They would just argue the separate but equal doctrine.

MERROW: For Thurgood Marshall and those people, they were trying to find a middle ground, trying to find -- to cover all their bases.

NABRIT: They were just scared to get out there and get themselves unclothed in front of those judges.

MERROW: That's what I said -- that would be a real setback, right -- if a judge had said "Plessy is good law."

NABRIT: Well, any time you lose a -- well, if the judge say Plessy is a good law, then tell the judge make it good; I mean, show me how that statement didn't apply when the two years after you get this decision, they have changed the thing and it's just like it was before. You see what I'm saying?

MERROW: Unh unh.

NABRIT: Suppose, for example, you're getting $80 a month, and this black teacher is getting $60. We go up there and fight all through the thing, and they make you make them equal. By that time, it's $100 apiece. We win. Two years later, they get a raise, you get $125 and we get $110. What am I going to do? I got to come all the way back up, because all the state courts

are gonna uphold what you did. I got to go all the way back to the Supreme Court to get that difference of $15 -- and by the time I do that and spend all that money for three or four years and go back, having won, they get back down as soon as we get back, and they make another. They enact another bill, change it, and we just constantly -- and that's what we did all those years; we just kept coming back, because separate but equal is unConstitutional.

But that didn't keep people from making it separate and unequal, it just meant you had a constant journey to the courts to prove it. And they knew you could prove it. But meantime, several years would elapse during which they got this heavy inequality pinned on us.

MERROW: So you're saying it just made perfect sense to you to go after separation.

NABRIT: Yeah. But you see, for some reason -- and my colleagues, or most of my cobleagues are against me, that they thought that there was something about what I was doing that was going to take away something. That is to say, by arguing that segregation, per se, was unConstitutional, I was throwing it away. So it was a real problem.

REINHARDT: James Nabrit. He took over the Washington case after the death of Charles Houston.

MERROW: The lawyers faced a genuine dilemma -- attacking separate but equal as bad law meant that they were asking the Supreme Court to overturn one of its own decisions. The Court doesn't like to admit mistakes. Asking the Court to reinterpret the meaning of the 14th Amendment was also risky.

REINHARDT: Making matters worse was the fact that the lawyers for the five cases disagreed among themselves. Gardner Bishop remembers how the disagreement was resolved.

MORE FROM GARDNER BISHOP

BISHOP: Our case had been filed on segregation per se from the get-go, you understand? From the beginning. That case was filed on equality, you see; so then they didn't want there to be a split between the lawyers, so they met at the Charles Hotel, you understand? And so Thurgood Marshall and this other boy, he just called -- all the big lawyers down there. So Jim Nabrit, he decided to call me and I went down there, and he said, "Now don't forget, I'm working for you." You understand? I said, "You're working for ..." and he said, "No, I'm working for you." So I said, "Okay". So they were arguing about how to reverse their plea in that case so they could plead segregation, per se. I thought it was wise to do that, you understand? And so Jim Nabrit said, "Well, I can't change because I'm working for Bishop and he said we got to go with segregation per se." You understand? This is the truth.

And so Thurgood Marshall looked at him and he listened to him, and they finally decided we would change the plea in our case so that it would be segregation per se.

REINHARDT: Nabrit says that the actual decision about which argument to make came during the trial itself -- in front of the Supreme Court.

MORE FROM JAMES NABRIT

NABRIT: You know when they settled that question? The morning when Thurgood got up to argue and stood up and started talking all this stuff. And Frank Furter stopped him and said, "Mr. Marshall, I want to ask you a question" and he said, "Yes sir?" and he said, "Are you arguing this case

on the separate but equal doctrine, or are you arguing that segregation, per se, is unConstitutional? Now I want to know."

And he turned as pale as a ghost, and looked at me -- and I just looked right at him, I didn't smile, I didn't do anything. And the courtroom was just as quiet as the moon, and when he asked him what was his basis on which he rests his case, was the Constitutional question, separate but equal, segregation per se is unConstitutional. The secretary just stood there, and finally he said, "Mr. Justice Frankfurter, we are going to argue this case on the basis that segregation per se is unConstitutional."

MERROW: He bit the bullet.

NABRIT: He bit it. So I always will be in his corner, because when the chips were down, he took the bullet, bit it, and we walked away with it.

REINHARDT: James Nabrit, who argued the Washington D.C. case against school segregation.

MERROW: As Nabrit said, Thurgood Marshall had to make the decision. In fact, throughout the long fight against segregation, Marshall was the driving force.

REINHARDT: He makes few public appearances -- but on occasion, he has spoken out on the subject of segregation and civil rights.

THURGOOD MARSHALL, SPEAKING AT HOWARD LAW SCHOOL

MARSHALL: There are people that tell us today, there are movements that tell us, that tell Negroes, "Take it easy, man. You made it." No more to worry about -- everything is easy. But again, I remind you of what Charlie Houston said; "You got to be better, boy; you got to move better. Be careful of these people who say you've made it, take it easy, you don't need any more help. Beware of that myth that everything is going to be all right. Don't give in.

I add that because it seems to me that what we need to do today is to refocus. Back in the thirties and forties, we could go noplace but to court. We knew then that the court was not the final solution. Many of us knew the final solution would have to be politics if, for no other reason, politics is cheaper than lawsuits.

So now we have both -- we have our legal arm and we have our political arm. Let's use them both, and don't listen to this myth that it can be solved by either, or that it has already been solved. Take it from me -- it has not been solved. You can't stand still. You must move, and if you don't move, they will run over you.

REINHARDT: Supreme Court Justice, Thurgood Marshall, speaking at Howard University Law School in 1978.

MERROW: The two men who built Howard University's Law School into a training ground for activist lawyers, Charles Houston and William Hasty, are dead now. Houston died in 1950 -- four years before the Supreme Court found school segregation unConstitutional.

REINHARDT: William Hasty went from Howard to the U.S. Court of Appeals, the country's second highest court. He died in 1976. In 1954 when school segregation was still legal, the public schools in Washington were 60% black, 40% white -- in separate schools, of course.

MERROW: When Washington tried to desegregate, whites left -- for the suburbs or for private schools. Before long, the public schools were over 90% black.

REINHARDT: Today, the schools are 94% black.

MERROW: The school system has gone through another prolonged lawsuit; this one over unequal distribution of resources among schools.

REINHARDT: Third graders in Washington schools are reading at a level that is six months below the national norm. Washington ninth graders are reading two years and eight months below national norms.

MERROW: There are no comparable figures for the years before 1954 -- which means that it's not easy to determine whether schooling is better today.

REINHARDT: We do have opinions, though; from the lawyer and the barber. First, James Nabrit, the lawyer in the case.

JAMES NABRIT ON THE QUALITY OF SCHOOLS TODAY

NABRIT: Teachers and administrators and all -- they're more interested in themselves than they are in the students, and they are not interested in the families, and they don't have this cohesion and this meeting with the families, and this following up with the students and the family. They don't have that sort of relationship. And as a result, there's nobody to care and act when these teachers give poor teaching. And that's what our trouble is. It has nothing to do with the law -- it has to do with lazy, inefficient administration, poor judgment, poor organization.

REINHART: And the barber -- Gardner Bishop.

GARDNER BISHOP ON SCHOOL PROBLEMS, SOLUTIONS

BISHOP: Gee, that's a foolish question. There are so manydifferences, it isn't even funny. They are better, they produce a better student -- you know, when I was in North Carolina, we used to fight little white boys every Sundary morning, every Sunday morning; never missed, you understand? Until some old colored people got together and decided that we were wrong, and told them that they were just little boys like you, you got a right to be on that railroad tracks, just like you got. You know? Leave them alone. And they made us friends. So then I started going swimming with that bunch of white boys. I was a poor colored boy and they were poor white boys, but we started going swimming together, we built canoes together, we went into the warehouse and played basketball together on the same floor -- because of handful of black mothers have decided that these children got to live in the same world. And these white boys had this warehouse, and they decided I enjoy playing basketball with old Bishop, and so come on, let's play basketball. So we played basketball.

And you know what? It was here in the District. They would run the flag up saying, "United States property" and the swimming pools and things were segregated. When they pulled the flag down, the children would jump the fence and go swimming together. Didn't you know that? Where you been? That's the way it always has been, that's the way it always be. People love people. All you got to do is find the means, the ways to put them together.

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REINHARDT: OPTIONS IN EDUCATION is written and produced by John Merrow; Mary Rowse is our Associate Producer, and Rebecca Goldfield is our Assistant Producer. We've had research assistance from Eleanor Fink. Our engineers are Loren Kelly, Jon Widoff and Greg Hedgepath.
I'm Barbara Reinhardt.

MERROW: I'm John Merrow. And this is NPR -- National Public Radio.

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SCHOOL DESEGREGATION, PART FOUR

LUCINDA TODD, A BLACK PARENT

TODD: I remember they had what they called a black bell, for assemblies. The bell would ring for the children to assemble in the auditorium. So they'd ring a bell and the white children would go to assembly. Then they'd ring the second bell, which was called the nigger bell, and our children went upstairs to a room, and that's where he would talk to them.

MERROW: He was Harrison Caldwell, a black man. As Assistant to the white Superintendent, he was responsible for keeping black and white children separate in public schools of Topeka, Kansas in the late '40s.

REINHARDT: Although they were kept separate in many of their activities, black and white secondary school students did go to the same building.

MERROW: But Topeka's black elementary students were sent to separate schools. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt, for NPR's Options in Education, with the fourth in our series on the struggle to abolish segregation in the schools.

MERROW: The Supreme Court decision that finally outlawed segregation in 1954 is known as Brown versus Board of Education of Topeka, Kansas, even though the Kansas case was only one of five separate law suits. The others coming from South Carolina, Delaware, Virginia, and Washington, D. C.

REINHARDT: What distinguished Kansas from the others was that Kansas state law did not require segregation. It allowed it in large cities.

MERROW: And Topeka chose segregation. The city had always had white and colored elementary schools, and the whites who ran the schools provided what they thought was appropriate.

REINHARDT: In 1948, Lucinda Todd, a black parent, began to challenge what the board considered appropriate.

TODD: I was reading my paper one morning, and I found where schools, 26 schools in Topeka were having their annual musical concert, and I knew there were more schools than that, and when I got to looking at it and thinking about it, they'd left out the four black schools. So of course I got right on the telephone. I never did finish my mix that day. And called the Music Supervisor, Mr. McGhee, and of

course they didn't let me talk to him. And when I did finally talk to someone in authority, they told me that Mr. Caldwell said that the Negro parents didn't want their children to have musical training in elementary school.

Well, my daughter was playing the violin and she was also playing the piano.

REINHARDT: Taking private lessons.

TODD: Yes, private lessons. So they were -- see, we didn't know they had this musical program in the schools. Just hadn't stopped to think about it. So when I got to investigating, all of the schools had little orchestras, you know, so I thought, well, we'll do this too, so I took it to the NAACP. I was on the Board of Directors, and the Secretary. So they said, "Well, we'll have to do something about this." But do you know by Monday morning the music supervisors were in the black schools, organizing orchestras.

MERROW: Lucinda Todd of Topeka, Kansas.

REINHARDT: Charles Scott, who became the attorney for the Topeka parents, grew up in Topeka, went to high school there in the late '30s.

CHARLES SCOTT, ATTORNEY FOR THE TOPEKA PARENTS

SCOTT: They were integrated, but at the same time you were denied to participate in a lot of the activities, particularly the athletic program. You could not play football on the varsity, or you had a separate basketball team, incidentally. We couldn't participate in track. Had a baseball team up there that you could play, but most contact sports, you were not permitted to participate because of your race.

REINHARDT: Why contact sports?

SCOTT: Some silly philosophy, a rationale that didn't feel that a black person should in any way have physical contact with a white person, that it might cause some sort of a violent -- violence of some type that might erupt if there should be some sort of a rubbing up against each other. That was the rationale for that, as I recall. Which was stupid. And most of us, male, including myself, we were football oriented, and we felt awful bad about it, and just couldn't really understand why such stupidity was permitted, but nonetheless it was, and certainly had a feeling that you just weren't wanted.

(Music over)

MERROW: Charles Scott, one of the lawyers in the case that became Brown versus Board of Education.

REINHARDT: Blacks living in Topeka in those days recall now that school segregation actually became harsher after 1942, when the school system hired a new Superintendent, Kenneth McFarland, and his black assistant, Harrison Caldwell.

MERROW: Lucinda Todd says Harrison Caldwell short changed the black schools to please his white boss, Superintendent McFarland.

TODD TELLS OF BLACK STUDENTS BEING BARRED FROM THE SCHOOL PROM

TODD: About the first thing that Mr. Caldwell did when he got here was separate the black teachers from the white teachers in their meetings. And we'd always met together. And we knew what they were doing and what was being planned for the schools. When he separated them, the black teachers didn't know what was going on in the white schools. He did that the first thing right off, separate them. Then he worked in the high school. Now, he was principal, or he was director of the four elementary schools, but he also had this problem, to segregate that high school. Then he'd make it up to the high school at lunchtime, and he'd go to the cafeteria, and if the Negro children were not sitting at this table, a certain table for the colored children, then he'd yank them up, "Get on down there where you belong." How could we stand for that?

And then I remember they had what they called a black bell, for the assemblies. The bell would ring for the children to assemble in the auditorium. They'd ring a bell and the white children would go to the assembly, and then they'd ring a second bell which was called the nigger bell, and our children went upstairs to a room, and that's where he would talk to them.

Then, in the spring, when the time came for the seniors to have their prom, we had a lot of colored seniors. So they always had their dance out at Meadow Acres, we called it. A lovely place, but it's out about two miles, I'd say, south of town. So our youngsters had always gone, and so they went out, and when they got there they wouldn't let them in. Mr. Caldwell said, "No, you're going to have your own prom at Monroe School," which was an elementary school. And the parents had to come on back to town, two miles away, and many of the kids just stood, and of course more were arriving. They wouldn't let them in. And so the youngsters said, "Well, can we get in to call our parents to come and pick us up? We can't stand out here." They wouldn't even let them in to use the telephone.

So finally, a later group came and they picked them all up and brought them back to town.

MERROW: Lucinda Todd. Harrison Caldwell, the man she blames

for making segregation worse, is now dead.

REINHARDT: His boss, Superintendent McFarland, denies that things got worse for blacks when he ran the schools. He declined our request for an interview, but he did testify in court that the schools were segregated when he got to Topeka, and that there was no evidence that the public wanted to change that practice.

MERROW: Lucinda Todd, Charles Scott and a number of other blacks in Topeka did want to change things. Through the local branch of the NAACP, they appealed to the school board. Their requests were denied.

REINHARDT: They appealed to the national headquarters of the NAACP in New York City. Thurgood Marshall and a cadre of skilled young lawyers who were fighting school segregation cases elsewhere, offered their help. The case was filed in U. S. District Court on the last day of February, 1951.

MERROW: It was called Brown versus Board of Education of Topeka, Brown being Oliver Brown, an assistant minister, and his nine year old daughter, Linda.

REINHARDT: For the trial, the NAACP sent two lawyers from the New York office, Robert Carter and Jack Greenberg, one black, the other white. Topeka had separate hotels too, which presented Carter and Greenberg with a problem.

NAACP LAWYER JACK GREENBERG

GREENBERG: The people in Topeka told us that the segregation was beginning to crack a little bit, and they could use special influence and get us a room in the hotel. I think it was called the Jayhawk Hotel, which is -- I think it's still there. That blacks could stay there upon special arrangements being made. And we didn't want to do that, so we were put up in the home of some local civic leaders, black civic leaders, which was -- well, actually that isn't what happened originally. They had put us up in a black hotel originally, and that was the most dismal place I'd ever been in in my life. I -- the bathroom, you didn't have a private bath, and the bathroom was down the hall and it wasn't even a room. It was an enclosure that didn't go up to the ceiling, and to turn on the light you had to pull a pull cord from the ceiling, and I recall going in there and pulling it and the whole ceiling fell down.

So we left there. I don't think we stayed the night. We left there and we went to somebody's home and we stayed there throughout the case.

MERROW: Jack Greenberg, who joined the NAACP in 1949. He's now head of the Legal Defense and Educational Fund in New York City.

REINHARDT: Greenberg, Robert Carter and the local attorneys went to work building a case. They had to convince a three judge court that the schools were not equal as the law required, and they wanted to persuade the judges that segregation itself was harmful.

MERROW: To show that segregation hurt blacks, they brought in social science evidence, testimony from university professors and psychologists who said that segregation caused black children to feel inferior. That strategy, asking the court to accept what some called a pseudo-science, was controversial.

REINHARDT: The black community was by no means united in the view that segregation ought to be abolished. Some black teachers feared they'd lose their jobs. That had happened when junior high schools were desegregated in 1941.

MERROW: Lucinda Todd recalls losing a lot of her teacher friends.

TODD'S FIGHT FOR INTEGRATION LOST HER MANY OF HER FRIENDS

TODD: Most of them just dropped me. I belonged to the same clubs, you know, and groups, and when it come my turn to entertain they wouldn't come. You know, strange as it may seem, many of the Negros in Topeka were opposed to the case, because they wanted the teachers to have a job, and they were afraid they would lose their jobs.

Now, Reverend Brown, the case was named after Oliver Brown, the Pastor, he was very reluctant to enter the case, and yet they named it after him. But he was reluctant because he pastored a black church, and those people -- it was in north Topeka, and those people had McKinley School, and that was the center of their social life, that and the church, and they liked those teachers and they didn't want to see that school desegregated. And he was a little fearful for his position in his church. He wanted his child to be educated. He did want that, but he didn't want to have to take part. But they finally persuaded him. We just had to go to him and plead with him.

Of course, the directors, the Board of Directors of the local chapter of the NAACP, we were working so hard, and so -- really, sort of a miracle, we thought, that we won that case, because we didn't know if we had a chance or not. We had not much money and our chapter was rather small. And we never did get the backing of the whole colored population here. Even as members of the NAACP, it was small. And so we were really fighting against great odds. But it just happened that the time was right. We didn't know it. At least I didn't. But I knew we had to make the trial. We had to try.

(Music under)

MERROW: Lucinda Todd, who later taught in Topeka's desegrated schools.

ROBERT CARTER DESCRIBES THE OPEN ENDED NATURE OF THE LOWER COURT'S DECISION

CARTER: When I was with the NAACP, it and what you call the Legal Defense Fund were one and the same, and working for the organization there was not only a sense of mission, but in view of the issues involved, there was really a sense of working for yourself. You weren't working for somebody else. You were really working for the vindication of other people, but also of yourself.

REINHARDT: Robert Carter was the NAACP's chief attorney in Topeka. He and the other attorneys presented their case before the three Federal District Court Judges. They lost, and Topeka's schools remained segregated.

MERROW: In one sense, though, the NAACP won. Again, Robert Carter.

CARTER: The judges out there, unlike the two judges in South Carolina, in the Burks case, were really of the view that segregation was unconstitutional, and they found that it was debilitating educationally. They found that it interfered with the black child's ability to learn. But they said that we think we're bound by the Supreme Court's decision. But I think what they were doing in that case was practically forcing the Supreme Court to take the case and review it, because of their own findings, and saying, you know, well, we found that this is an evil, but we can't do anything about it, and tossing it to the Supreme Court. And it was something that the Supreme Court was going to find very hard not to catch.

REINHARDT: Robert Carter went on to argue the case before the Supreme Court, which outlawed school segregation on May 17th, 1954. Carter is now a judge on the U. S. Court of Appeals, Second Circuit.

MERROW: Within a few years after the 1954 decision, Topeka had ended official segregation in its public schools. Children went to their neighborhood schools.

REINHARDT: Until 1973, things went along relatively smoothly in Topeka, where the minority population amounts to about 23 percent of the enrollment. But then a black grade school student, Evelyn Renee Johnson, sued the Board of Education, saying she was getting an inferior education because of her race.

MERROW: After five years, the School Board and Johnson settled

the case out of court. The Board admitted no guilt, but did pay Johnson $19,500.00.

REINHARDT: In the meantime, however, the Federal Department of Health, Education and Welfare had found Topeka schools to be in violation of the Civil Rights Act. One complaint, several of the schools had over 90 percent minority enrollment.

MERROW: In response, the School Board began a five year plan to improve racial balance and school facilities. They planned to build some new schools and close some old ones.

REINHARDT: Three years later, in 1979, some black parents went to court, charging that the Board still hadn't desegregated the schools. The law suit was filed on the 25th anniversary of the original Brown versus Board of Education decision, and Linda Brown Smith, the daughter of the Plaintiff in the original suit, is a Plaintiff this time.

MERROW: Among their complaints, black children are still being concentrated in certain schools. There are too many 9% percent white schools and too many 70 percent black schools. They want a more even mixture.

REINHARDT: Some blacks have come to the conclusion that percentages aren't that important. Professor Derrick Bell.

PROFESSOR DERRICK BELL OF HARVARD

BELL: I would favor listening to the parents. You know, there are going to be some parents who want to send their kids to white schools. They don't believe anymore that it's possible that the basically white system is going to provide adequately in a black school. If they don't believe that, then they should not be required to send their children to that school. Brown should at least mean that.

But I think Brown also should mean that for those black parents who say, "We know what our options are but we would like to take our stand here. We don't think this school is what it should be. It's better than what it was, and we think that it can get better, and we want to work here." They should not be told no because your school then will be 100 percent black, or 90 percent black. It was never blackness, it was never the presence of black kids in a school that made that a bad school, and sometimes I think we've worked so hard to desegregate schools that we have perhaps unconsciously concluded that, well, if it's all black, it can't be good. We know now -- we're not in the kind of systematic studies that I would like to see, but we know from a number of individual investigations of a school in Harlem here, reported in Newsweek, and

something else reported in the Wall Street Journal, and a few stories here about a school in New Haven, some private, some public, all black, all serving poor kids, that those schools can, given the correct leadership, given the right curriculum, can function both in terms of achievement, in terms of parental involvement, in terms of personnel morale, can function at the level of the best suburban school.

Now, we know that that can be done, and it seems to me that when black parents come and say, "Gee, we still are the victims of segregated schools, and we want to make our school a school where there is equal educational opportunity, that there should be a method by which lawyers and courts can help that come into being.

So that I'm not opposed to integration. I'm opposed to what passes under the racial balance rubric for integration, which is neither integrated in any peer basis, nor is it educationally effective in all too many instances.

BERNHARDT: You seem to be taking a stand that may sound as if it's going back, and seemingly turning around what took a long time to fight for, in the sense of integration of schools. How do you justify what may sound to some like a move back?

BELL: I regret that what I'm talking about may appear on the surface to be a retreat or to return to -- you know, the people who oppose busing, the white -- because someone may even be a white racist doesn't mean they're totally stupid and have nothing that is of value. And as a matter of fact, many of those who are designated as white racists because they oppose busing are simply indicating their proper concern about what's going to happen to the educations of their children.

After all, those of us in civil rights have been saying for years that the black schools were horrible and we didn't want our kids to go to them. Now, we should be not surprised if white people say, "Well, we don't want our kids to go to them either."

No, I think that there's a world of difference between a school in which black people have confidence, in which they're willing to provide support, and where the kids are learning, and the typical school, back in the separate but equal era, which not only was all black, but where the blacks generally had no control, where they didn't decide what was taught, where they couldn't even get new class books when it was time to get new books. They only got hand-me-downs, where they didn't decide who was to teach. Teachers were hired based on who made the white people feel comfortable, not who could effectively teach. This is a world of difference.

MERROW: Derrick Bell of Harvard. He was interviewed for Options in Education by Barbara Bernhard.

REINHARDT: William Taylor, a white civil rights lawyer, doesn't accept Bell's reasoning.

LAWYER WILLIAM TAYLOR DISAGREES

TAYLOR: From everything I've seen, desegregating schools is an integral part of improving their quality. When schools are desegregated you find in many instances that the whole community becomes concerned about the quality of education in all the schools. Whereas before, many schools were simply neglected.

Secondly, the mass of black people in this country, by every poll, favor integration. Not for any ideological reason, but because they want better education for their children, and when the opportunity arises, they see integration as a way of doing that.

MERROW: You're arguing that a faster route to quality is via desegregation, rather than saying, all right, let's just worry about what's, in effect, at the end of the bus ride, let's skip the bus ride and just improve the schools.

TAYLOR: Yes, and of course there's one other factor, and that is that schools are not desegregated simply as a matter of educational policy, but as a requirement of law. In almost every case, except in the handful of states that have state policies favoring desegregation. It only comes about because violations of the Constitution and federal law are found.

REINHARDT: William Taylor, a civil rights lawyer and Director of the Center for National Policy Review at Catholic University in Washington, D. C.

MERROW: And today in Topeka? What's school like for blacks and for whites?

WHITE STUDENTS GIVE THEIR VIEWS ON INTEGRATION

STUDENT: The black people on campus are just like the white people, and the white people are just like the black, don't you think?

STUDENT: Yeah, I think of it just about the same way. I mean there's -- no matter where you go there's going to be good and white, black or white, it doesn't really matter.

INTERVIEWER: Do you think you're missing something by having in your school only 30 black students?

STUDENT: Uh-uh. Not at all. No. I've been in athletics. I've been around them. You know, I've been around them just as much as anybody.

INTERVIEWER: Do you know that there are a number of blacks in the city who feel as if blacks do not get as good an education in this city as whites and have filed a law suit?

STUDENT: I didn't know that.

STUDENT: They say you don't get as good an education? Well, that's wrong. It is. It's wrong.

INTERVIEWER: How do you know? You're white.

STUDENT: I think you get as good an education as you try, as hard as you apply yourself, that's what you learn.

INTERVIEWER: No matter what has happened to you earlier in your life?

STUDENT: Yeah.

INTERVIEWER: How would you feel if they said to you, "We're going to try to make the schools racially balanced, so we'll bus you to Topeka High School?"

STUDENT: Oh, I wouldn't want to be busted, but I wouldn't mind them here. You know, if they lived in my area or something, let them come.

INTERVIEWER: If they said to you, "We're going to bus you to Highland Park," what would you do?

STUDENT: I wouldn't go there. I'd just -- I go here. If they don't want me here, they can kick me out. Otherwise I wouldn't go.

INTERVIEWER: Why do you feel so strongly about it?

STUDENT: Well, there's no need for me to go across town. I learn good here, and this is a good school and there's good teachers, and people who go here are really nice and I like it here. Across town I don't know anybody. It might be different or something.

MERROW: White high school students in Topeka. Only 2-1/2 percent of the students in their school are black.

REINHARDT: Do those few black students feel cut off, segregated? In the 1950's, the NAACP argued that isolation and segregation had detrimental effects on black children. That still seems to be true.

A BLACK STUDENT WHO SEEMS TO HAVE HAD A TOUGH TIME IN SCHOOL

STUDENT: Different people from our race, you know, most of them aren't particularly smart, and we might not get on as quick as they do, you know, sort of slow. And you know, they pressure us more. It works out once we get the hang of it. Because I've seen a -- you know, like a lot of our students -- we have a few black students who are really smart, and they -- you know, when people talk they know what they're talking about, you know, like when they use big words we might not understand it, but there are a few that do.

REINHARDT: How about you? If you could choose -- well, I guess you can, since there's open enrollment -- do you want to come to this high school where it's also majority white?

STUDENT: No, not really. I want to go to Highland Park High.

REINHARDT: Why don't you?

STUDENT: I don't know.

STUDENT: Particularly because it's out of our way. It's out of our way, you know. We'd have a whole lot of troubles getting there and back, you know, but we would be with people, you know, our speed, you know. We could understand better what they were teaching us, you know, because -- I don't know.

MERROW: Only about 8 percent of Topeka's teachers are minority. The minority student enrollment is 23 percent.

REINHARDT: Through the struggle against school segregation, Lucinda Todd worked as a teacher, a mother and an NAACP leader. Today, she sees things from a new perspective, that of a grandmother.

LUCINDA TODD

TODD: My oldest grandchild's 14 years old, and she goes to Jardin, which they happen to live out in southwest Topeka, where not many Negros live. They're mostly on the east side, you know, and south Topeka. Well, anyway, she's in this junior high school, Jardin, with I imagine about maybe 10 black children. Well, anyway, she is real bright. She does her work and gets her grades and she participates in all of the activities. She's a proctor and she belongs to the cheerleaders.

REINHARDT: Before you go on, you have to explain what a proctor is.

TODD: Oh, a proctor helps with the librarian, to get the books out and to get them back. She has her own little desk in the library

and she does some typing for the librarian, makes cards and so forth, just does a little help around. And in fact she helps all over the building when they need it. And she stays on the honor roll and so they got ready to have their spring play this -- just about a couple of weeks ago. And they were handing out the parts. She's taking drama, and gets an A in it. And so when they handed out the parts, do you know what part they gave her? The servant. Yeah. Now, that's just an example, isn't it? And of course her parents wouldn't let her take it.

Now, she's one of -- I will say it, she's one of their top students. She's on the honor roll and she participates and cooperates.

REINHARDT: What was her reaction to that?

TODD: She cried. She came home -- many of the youngsters who got the big parts in the play were not nearly as active as she was, and she noticed that, see, and she felt that she shouldn't have to be a servant just because she was black.

But now, I'm going to give that teacher credit. I don't know him personally, but this is in him. She is black, therefore she is of a certain class, see? So I don't think he probably gave it a second thought, really. It's just a black child, so a servant. But my son-in-law, he went up to see him, of course. He was in his -- he is a Lieutenant Colonel, and he was in his uniform with all his decorations, and so the teacher apologized and gave her another part. But that's just a small example of what our children go through.

(Music over)

REINHARDT: The name we've given to this eight part Options in Education series is Race Against Time. Before we're through we'll have taken you to eight American communities.

MERROW: We'd like to have as many people as possible come along with us, and for that reason we're selling copies of the series at a reduced price. The printed transcript of all eight programs costs $4.00.

REINHARDT: The cassette recordings cost $18.00.

MERROW: Write to us at National Public Radio - Education, Washington, D. C. 20036.

REINHARDT: The complete printed transcript, $4.00. It includes a bibliography and recent statistics.

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MERROW: Options in Education is a co-production of National Public Radio and the Institute for Educational Leadership of the George Washington University. Support for the series is provided by the National Institute of Education and the Corporation for Public Broadcasting.

REINHARDT: Options in Education is written and produced by John Merrow. Mary Rouse is our Associate Producer and Rebecca Goldfield is our Assistant Producer. Research assistance by Eleanor Fink and technical assistance by John Widoff and Loren Kelly.

MERROW: Some of the material for this program came from Barbara Bernhardt, Station KUOM, Seattle, Washington, and Andy Gilman in New York City. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt.

MERROW: This is NPR, National Public Radio.

RACE AGAINST TIME: SCHOOL DESEGREGATION, Part V, Program No. 254

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SCHOOL DESEGREGATION, PART FIVE

SARAH BULAH RECALLS HER DAUGHTER'S ONE ROOM SCHOOLHOUSE

MS. BULAH: The school was a one-room school, and she had quite a few children. See, she's sixth grade. Had one teacher in the sixth grade. Well, the white children's school was up there, with a four-room school and a teacher in each room. See what I mean to say? Four teachers. Shirley's desk had one leg and one leg on a building block. See? One leg was on a building block, a four by eight building block, see. Dry toilets.

MERROW: In Wilmington, Delaware, in the 1950's, black and white children had separate schools.

REINHARDT: White children could ride to school on busses. Black children had to get there on their own.

MERROW: The white school bus drove right by Sarah Bulah's house. When she asked the school board to let her daughter Shirley ride the bus and get off at her own school, the board said no.

REINHARDT: Sarah Bulah appealed to the state board of education and the governor. They said no.

MERROW: She eventually sued to end legal school segregation.

REINHARDT: And she won. I'm Barbara Reinhardt.

MERROW: I'm John Merrow, for NPR's Options in Education, with the fifth in our series on school desegregation. In this report, we visit Wilmington, one of five places involved in Board v. Board of Education.

In that 1954 decision, the Supreme Court outlawed school segregation.

REINHARDT: Wilmington is also the first city to have court-ordered metropolitan desegregation. In 1978, the school system began a bussing plan which includes the suburbs.

MERROW: Opposition to desegregation has always been strong in Delaware.

COLLINS SEITZ WAS THE JUDGE

SEITZ: Delaware was not truly a Northern state. You've heard it said it was a Northern state with a Southern exposure, and that's true. I think in many ways, Delaware was as difficult as any of the Southern states that I'm aware of in its relationship with blacks.

REINHARDT: In the 1950's, Collins Seitz was Chief Judge in Delaware's highest court. It was to his court that Sarah Bulah first took her case in 1951. It was Judge Seitz who had to hear the evidence and make the decision.

SEITZ: The bus went right by her door, and they wouldn't even pick up her child to take her to a black school. And I just couldn't get over that. To me, that was the most horrendous thing I ever heard. And it demonstrates to me what I have heard over the years of being a judge, and that is, how many big principles are established because of small matters. If they had agreed to pick her child up and take her child to the black school, she would not have been a plaintiff.

REINHARDT: Didn't whites at the time know this was happening? This kind of thing?

SEITZ: Some, some did. But I think generally they did not, and I think they would have probably supported the Board of Education had they known it, for the most part.

REINHARDT: You mean, they would have been in favor of not giving those people busses.

SEITZ: That's correct. Unfortunately, that's so. So I don't know what it is, some people are more horrified than others. But I found that something that stuck in my craw. I couldn't believe it. The second thing, of course, is the testimony of the psychiatrist, whose name I don't remember now.

REINHARDT: Wortham?

SEITZ: Yes, Dr. Wortham, who is -- his testimony was extremely compelling. I remember, he testified without interruption to one question for probably 30 minutes.

REINHARDT: What kinds of things did he say?

SEITZ: Well, he was talking about the effect of the segregated education, what it did to the attitude of the black child about his own view of himself and his own worth. And I don't think there's anything more destructive than to have any type of situation where a child has a destructive attitude about his own worth.

And I would say that that's as true today as it was the day I heard it.

MERROW: Collins Seitz. Today, he's Chief Judge of the Third Circuit, U.S. Court of Appeals.

SARAH BULAH'S FRIENDS WERE CRITICAL OF HER

REINHARDT: The black community did not support the fight to end segregation. Sarah Bulah says she lost friends.

BULAH: They all was mad with me, and they were all mad with me, my gracious alive. My pastor, he was against me, you know.

REINHARDT: What did they do to you, or say to you?

BULAH: Oh, what did they say? Some of them said some terrible things to me. But yet, I didn't pay no attention to it. Because they -- I asked the man about letting his boys -- a boy and a girl go to school, and here's what he said to me. He said, Mrs. Bulah, he said, you know, that little school out there is good enough for me, and it's good enough for my children. That's what he told me, right to my face. He's living yet, and his wife is still living.

REINHARDT: You said the minister was unhappy. What did he say?

BULAH: Well, you see, he said that he would come get children and take the children to school, see, every day. And he come to me and I said, you ain't going to take the children nowhere. I says, in court, let the court settle it. Whatever the court say, I'm going to abide by.

REINHARDT: Did you sense that they felt you were really going to be breaking up the community by doing this?

BULAH: Yeah, they thought I was breaking up the community, yeah. And so, one morning, I went to see a sick lady. It was two brothers lived together, and they were my husband's friends. So I went to see this sick lady. I spoke to her, she say, Mrs. Bulah, she say, I'm surprised at you. Surprised at me about what? You saying that you wanted children to go to school because you didn't want her going to -- wanted Shirley to go to the white school because you didn't want her going to the Negro school. I say, I didn't say no such a thing, just like that. She say, you know, I've been living here 30 years, and we ain't never had no stink until you come.

MERROW: White disapproval of Sarah Bulah's action was just as strong.

BULAH: I had customers to get three and four -- white customers, to get three and four dozen eggs off me. I had one woman get me three dozen every week, 75 cent a dozen. They were nice eggs. And so this -- I'd take them to her, I'd deliver them. So this Friday, -- I always delivered hers on Friday -- I went down there, and she said to me, she said, Mrs. Bulah, she said, why do you want children to go to our school up there? I said, well, Mrs. Noos, I says, for one reason, I says, she got bus transportation. That's one reason. I said, and the second reason, it's a better school in every way, I say to her, just like that.

And that time, he come out of the back room. I didn't know he was there.

REINHARDT: This is her husband?

BULAH: Her husband. So he says, good morning, Mrs. Bulah. I says, good morning, Mr. Noos. He said, Mrs. Bulah, he says, why do you want your daughter to ride the bus? I said, because she needs to ride the bus, I says. I says, she can't walk to school, I says, and I can't take her all the time. A lot of time she miss because her daddy is working a different shift and the roads is bad or something, and I wouldn't take her.

So he said, now, Mrs. Bulah, I want to tell you, I know that you and Mr. Bulah keeps that child clean. I know your child is clean, we know that. He say, but -- he had a little black dog, he says, but out there, some of the children I wouldn't want my dog with. I said, Mr. Noos, you got just as filthy folks in your race as I got in mine. That's what I said to him, just like that. And I was in his house, too. He said, I know it. Up at our school, he says, they got lice up there. My daugher come home with lice in her head. I say, well, no Negroes was up there at that time, wasn't no Negroes up there.

I said, well, thank God our Negro school don't have lice, I said to him, just like that. And then he said, we don't want no more eggs, to me. And quit buying. I used to have a trade of around maybe a hundred dozen eggs a week. And do you know, I lost every customer but one -- white. Every customer but one. And she say she had always been getting eggs off of Mrs. Bulah and I ain't going to stop now. That's what she -- all of them quit me, every one.

MERROW: Sarah Bulah may have suffered, but her daugher was admitted to the white school. In 1952, Collins Seitz became the first judge in the United States to order a segregated white public school to admit black children.

REINHARDT: The law at that time allowed separate schools for blacks and whites, as long as the schools were equal. Judge Seitz ruled

that because the facilities were unequal, the only solution was to send the black children to the white school.

MERROW: Judge Seitz believed that segregation was unconstitutional, but the Supreme Court had approved separate but equal in 1896, in Plessie v. Ferguson. And Judge Seitz felt that only the Supreme Court could overturn it.

JUDGE SEITZ LEFT THE DECISION TO THE SUPREME COURT

SEITZ: The wind was blowing, as you studied the precedents, of course, that Plessie v. Ferguson was going to be interred. I think when they took the cases, probably they took so many cases, one had the feeling that they were going to do something significant. I don't -- hadn't thought about it, but I don't mind telling you, I put their feet to the fire, with the language in my opinion. And that was intentional, because I had always believed that it was outrageous that the Constitution could in any way justify differentiating.

MERROW: Delaware Judge Collins Seitz. Ultimately, of course, the Constitution couldn't justify differentiating. And the Supreme Court ruled segregation unconstitutional in May of 1954.

WHITE STUDENTS

REINHARDT: But the white power structure in Delaware had no trouble differentiating between the races. It continued to do its best to keep blacks and whites separate.

MERROW: And that meant nearly continuous litigation for Wilmington and the state.

REINHARDT: Two years after the Brown decision, a new lawsuit, Evans v. Buchanan, was filed by five black defendants whose children had been refused admission to all white schools.

MERROW: That case dragged on. In the meantime, in 1968, the state legislature redrew school district lines, and deliberately left the city of Wilmington as a separate and nearly all black school system.

REINHARDT: That amounted to segregation by law, which of course the Supreme Court had declared unconstitutional.

MERROW: So in 1975 federal courts told Delaware to desegregate Wilmington City and suburbs, metropolitan desegregation.

REINHARDT: Whites could no longer avoid desegregated schools by fleeing to the suburbs.

MERROW: In September, 1978, white and black children began riding busses across what used to be school district lines to go to school together.

STUDENT: It was really a new experience to meet new friends and you get to meet other people, different races and to know what they like, what kind of things they're into. It was really fun.

REINHARDT: Is it harder for you, being in a minority?

STUDENT: Yeah, sometimes. But most of time -- like, sometimes they treat you as equals and sometimes they don't. But it's all according to what you do. Like, maybe your grades aren't as good as the other

people's, but it makes you work harder and try to make yourself better.

REINHARDT: You sound as if you think it's all right, being in the schools.

STUDENT: It is, because last year, I was doing terrible. And then when I got to know the school system and I started working more harder and I got good grades and everything. And I'm more happy than I was.

REINHARDT: What was it like last year, the first year of desegregation?

STUDENT: Well, there was a lot of disagreements between blacks and whites. One real bad fight. There was a little -- maybe a few skirmishes, small ones, but it wasn't anything bad. It seemed like most of -- when desegregation started and it started at Conrad, most of us came with a chip on our shoulder, because the city and the suburbs maybe were coming together for the first time, really uniting. I don't know.

REINHARDT: The fight was the only violent incident. It occurred at their junior high school during the first week of desegregation.

MERROW: That incident only strengthened the feeling of whites who were already opposed to desegregation and bussing.

JIM VENEMA

VENEMA: Through my experience as president of the National Association of Neighborhood Schools, I talked with what would be considered antibussing leaders throughout the country, in all major areas where of course bussing has been in place for a number of years. And without exception, these people have said, all we're doing essentially is graduating a generation of racists, both black and white. And this is something that parents have told me repeatedly since we've had bussing here. Before, they say, -- to sum up, if I can, their comments in general, to generalize -- before bussing, we had black neighbors, we got along famously, our children went to school with black children, absolutely no problem. But now, the children are becoming racist. And it's not only white, but it's also black. Because you have a situation where people are forced, and I can't overemphasize that word "forced", we are being forced into something which, again, I say, national polls have shown the majority of both blacks and whites do not want, do not think they need, and do not think works.

MERROW: Jim Venema predicts nothing but trouble for Wilmington and the 11 surrounding districts now merged into one. But political scientist Gary Orfield says that metropolitan desegregation is the best way out of trouble.

ORFIELD: What we know about desegregation suggests that you get the best results when you have children transferred from poor schools to substantially middle class schools. One of the problems with limiting to the central city not only is that it produces more instability and more flight and more tension, but also that it doesn't include very many middle class folks. And they sit out in their all-white suburban areas and are completely uninvolved.

There's lots of different ways that people justify desegregation. One is that racial separation is evil in itself. One is that you can get academic achievement. One is that you can create experience of better race relations. One very important one is that you get -- a lot of students are excluded from the opportunity networks in the

society, to have access to them.

REINHARDT: Now, they were talking about middle class.

ORFIELD: That's right.

REINHARDT: I mean, economic kinds of things.

ORFIELD: You can get a child into a school where the expectations are much higher, where the teachers expect more, where the students routinely talk about going to college all the time, where they actually get jobs, where employers view that school in a positive fashion, where there are a lot of success models and so forth. That's a real asset for children.

Now, in a plan that just deals with poor whites and poor blacks, a lot of those potential gains are lost. And that's one of the very sad things about waiting until the city has nothing else left inside its boundaries, and then integrating those children and leaving all of the rest of society untouched. It's bad for those children that live out in the suburbs. They have a totally unrealistic view of the world, and it's bad for the children that are isolated, both the poor whites and poor blacks.

MERROW: Gary Orfield, a political scientist at the University of Illinois, and author of Must We Bus.

REINHARDT: The courts' answer to that question for Wilmington was yes, and Wilmington is now bussing. Every city student, which pretty much means black, rides the bus for nine of his 12 years. Suburban kids, most of whom are white, are bussed for three years.

MERROW: The goal is to make every school roughly 75 percent white, 25 percent black, which is the districtwide enrollment.

REINHARDT: Blacks who used to be in the majority in their schools are now always in the minority. It's their job to adjust to the situation, and in many cases, to their new teachers.

WHITE TEACHER TOM TWILLY

TWILLY: When there were only white teachers in the faculty room, I was quite upset and bothered by the racial jokes. I don't know if they were meant maliciously or not, but there was no black people in the room and I assumed they thought I would go along with them. And it just really bothered me, the fact that there would be so much laughter and carrying on with them, speaking the black dialect that was used up there and how many do you have in this class, and the answer would be fo'. And it got to the point where it just really irritated me. I just thought, here's an academically advanced school, and you teachers -- the ones who teach here -- I was just thinking to myself, it was be -- the students must be learning in spite of the teachers.

MERROW: Tom Twilly, who's white, used to teach in an inner city high school. When bussing began, he was transferred to Brandywine High in the wealthiest suburb.

REINHARDT: Before 1978, most teachers in Wilmington did not have the experience Twilly had of working with teachers and students of the other race.

MERROW: Some federal funds were made available to smooth the

desegregation process. Every school hired two human relations specialist and a home school advisor to help students adjust.

BEN ELLIS, HUMAN RELATIONS SPECIALIST

REINHARDT: Ben Ellis, a human relations specialist at Brandywine High School, is black. I asked him how an inner city black student is likely to react to a newly desegretated school.

ELLIS: Fear, fear of the unknown, first of all. Fear because all I've heard about white folks and how they treat black folks.

REINHARDT: What have you heard?

ELLIS: I've heard they don't like me, to begin with, and I've heard that they will not give me a fair chance, or there will be discrimination. I know before I get there that there will be discrimination, and I won't get a fair chance. The best chance for me is to -- when I go out there, is to demonstrate to everybody that I won't stand for that, and to make them know very clear that you're not going to take advantage of me.

REINHARDT: So what happens then, when you get to school?

ELLIS: Well, in the very first instance that I see somebody discriminating against me, I'm going to yell loud and clear. And if nobody hears me, then I'm going to make a ruckus, and make sure again that everybody knows that I'm not going to be taken advantage of.

REINHARDT: Why have a desegregated school? What does it accomplish?

ELLIS: I think it gives people the opportunity to really know each other. I think it gives youngsters the opportunity to see the difference between myth and reality, illusion and reality. I think it gives them a chance for black kids to know that white kids' hair doesn't smell and white kids to know that all black kids don't carry switchblades and steal.

And I do see youngsters beginning -- it doesn't happen overnight, but I see them beginning to see people as people, little things like, it's not just that black guy down the hallway, it's that light-colored black guy. You have to start somewhere, but initially it was just the black guy. And all of you guys are doing this and all of you guys are doing that. Now they're able to say that Joe did it or Frank did it or Susan did it, and not just the black kids are doing so-and-so. And that occurs.

Those are social kinds of things, they're integration kind of related. And they're not really, as I said before, the focus of my attention. My attention basically has to do with academics. And I think that this kind of setting lends itself to give poor youngsters a better shot at things, particularly black poor youngsters. I think the setting that they came from when it's predominantly poor, the expectations are lower, I think facilities and things have a way of deteriorating. We might start out with the same kinds of materials and equipment, but they deteriorate rapidly.

In a system where the poor people aren't the majority, those kinds of things don't happen. I also think that no matter what kind of materials you have, the achievement rate of youngsters has more

to do with their economic background than anything else. It has to do with what kind of motivation they get at home. And it also has to do with the fact that in a poor setting, in a poverty setting, the youngsters come to school overwhelming in numbers with deficiencies. What I'm saying is, you have a class of 30 in a poor urban school, then probably you've got 25 problems.

In this kind of setting, if you've got a class of 25, at most you probably have two or three problems. That's at most, and in some classes you may not have any, it depends. But you can get a heck of a lot more done if you have two or three problems that you kind of have to deal with as you go along through the day than you would if you had 25. And also, those three problem youngsters are exposed to 22 youngsters who are functioning and achieving. And that provides a motivation in itself.

In reverse, we've got three youngsters who are achieving being motivated by 25 who aren't doing anything but causing a lot of problems. So that, maybe I'm saying it splits them up, divides them up, shoots them out here and there. But you're not saying that black folks -- I want to make clear that I'm focussing on poor people. And it doesn't matter what color you are. Poor people suffer from the same problems, it doesn't matter what color they are.

MERROW: Ben Ellis, a human relations specialist at Brandywine High School.

A STUDENT WHO WAS SUSPENDED

REINHARDT: Human relations specialists work primarily with students. Teachers were not given much help in preparing for students of different cultural, racial and economic backgrounds.

STUDENT: I've been suspended three times already for fighting. For fighting. One day, I was sitting in my class and somebody do something. And the guy thought I do it, and he came and -- out, out, in the hallway, and hit me in my nose, busted my nose. And I had to go to the nurse. I got suspended for five days, for something somebody else did.

MERROW: So far, the biggest problem in Wilmington is suspensions. A disproportionate number of black students are being sent home for periods of time ranging from a few hours to as long as five days. The most common offense is labelled "defiance, insubordination."

REINHARDT: A school official told us that the system has ways of making suspensions last longer. When the five days are up, school officials can resuspend the student.

MERROW: Or school officials simply don't bother to look for the student when his or her suspension is over. That's a way of letting the kid know the school doesn't care if he's back.

REINHARDT: Although only 25 percent of the students are black, half of those suspended last year were black.

MERROW: In the first year of desegregation, the suspension rates for blacks increased over 200 percent, while the rate for whites grew by only 20 percent.

REINHARDT: What's going wrong? Gloria Grantham has studied the problem of suspensions, and has concluded that suspension is overused and abused because it's the easiest thing for a principal to do.

GRANTHAM: Many, many kids are now being referred to the administrators from the classrooms, and the teachers are saying, I don't want them in my class. Do something with them. And, again, that goes back to -- from the teacher's point of view, that you are now teaching the student that you're not used to, and I don't want to call it a black-white thing here, I'll just call it a city -- urban kind of situation because as I said before, city kids do act different from suburban kids.

So all of a sudden, you have kids who do act different and also who you don't know. Many of the teachers did move, they were reorganized. But some of them were not. Many of our high schools kept 75 percent or so of their staff, in the high schools. So you're now dealing with a group of kids that are from the city whose actions are different and who also you do not know. So how do you reprimand those kids if you have no rapport? You can reprimand the white kid because you know him. You probably know him because he was in the school last year.

Okay, so what we had then, we had some really bad feelings on the part of white students. We even had a walkout in one of our area schools, because students were saying the standards were double. They were always in trouble and being reprimanded and the black kids would get away with everything. And I think that was a misconception -- I'm sorry, it was not a misconception, it was happening. I don't like to say it's a misconception because the kids felt it and it really did happen to them. But on the other hand, what they didn't see was the fact that, even though that teacher may not have verbally reprimanded the black kids, that they were suspending them, okay? It was more paperwork. It wasn't the confrontation, but all of a sudden, it just wasn't there.

They referred them to be suspended for their actions, rather than talk to them or correct them, the way they would talk to many of the white kids that they had a rapport with.

REINHARDT: Was it a fear? Just not knowing how to talk to a black kid, if you're white?

GRANTHAM: I believe that that is part of it. I don't like to say it as fear, I like to say it more that whites and blacks in Newcastle County did not know each other. And I think that's true. I think the blacks, kids and many of the teachers, because they were segregated, because they were in the city of Wilmington, and many of the suburban students and teachers lived outside of the city, that there was no rapport. There was very little interaction between city and suburban. And therefore, suburban and city people just don't know each other.

So if all I have to go on are the rumors and the myths that I know about you as blacks, then this is basically it, until I can establish a rapport and a relationship. So I think a lot of it was maybe not necessarily fear, but just the fact that I really don't know them and I'm not about to get in a conflict situation with them, because I'm not sure what would happen, or how to handle it.

MERROW: Gloria Grantham. She prefers to see the situation as urban versus suburban, not black versus white. Yet it is the black students who are being suspended disproportionately.

REINHARDT: Those suspension rates don't mean desegregation is failing in Wilmington. But it does make clear that the challenge is not just to mix black and white children. The challenge is to treat all fairly and appropriately.

SPEAKER: I'm not sure integration will ever work. It's a personal opinion. I think that desegregation has a very good chance of working. I only ask youngsters to tolerate each other, I don't ask them to love each other. I have to make them know that if you're going to function in this society, as a pluralistic one, then you're going to have to be able to tolerate each other and respect each other.

MERROW: The name we've given to this eight-part Options in Education series is Race Against Time. Before we're through, we'll have taken you to eight American communities.

REINHARDT: We'd like to have as many people as possible come along with us. And for that reason, we are selling copies of this series at a reduced price.

MERROW: The printed transcript of all eight programs costs four dollars.

REINHARDT: The cassette recordings cost $18.00.

MERROW: Write to us at National Public Radio - Education, Washington, D. C. 20036.

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REINHARDT: Options in Education is written and produced by John Merrow. Mary Rouse is our associate producer, and Rebecca Goldfield is our assistant producer. Research assistance by Eleanor Fink. Technical assistance by Lauren Kelly and John Ewell.

I'm Barbara Reinhardt.

MERROW: I'm John Merrow.

REINHARDT: This is NPR -- National Public Radio.

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SCHOOL DESEGREGATION, PART SIX

DR. CARLTON WATKINS

WATKINS: Maybe it's necessary for a community to go through the groveling in anguish as they do things that they should have done on their own. But when they're forced to do so by law, they go through all the gyrations of protest and everything. And after they finally figure out they're going to have to do it anyhow, they start making maybe the adjustment.

So maybe it's a necessary process that people self-flagellate themselves to get to this final stage of acceptance.

REINHARDT: For years, Charlotte, North Carolina went through all sorts of gyrations and self-flagellation trying to avoid desegregating its schools.

MERROW: Today, Charlotte looks proudly at its school system, and says desegregation works. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt, for NPR's Options in Education, with the sixth in our report on school desegregation.

MERROW: We're taking you to Charlotte to find out whether desegregation really is working, and if so, how the schools got to that point.

JUDGE JAMES MacMILLAN

REINHARDT: The United States Supreme Court ruled in 1954 that public school segregation by race is unconstitutional. Charlotte, like every other Southern community, had separate school systems.

MERROW: When the court told the South in 1975 to desegregate with all deliberate speed, Charlotte did nothing.

REINHARDT: In fact, in 1964, ten years after the Supreme Court decision, only a few dozen black children were going to school with whites in Charlotte.

MERROW: But the following year, 1965, a lawsuit known as Swann v. Charlotte-Mecklinberg was filed in federal district court. By that time, the Charlotte school district had merged with surrounding Mecklinberg County, and the school population, 80,000 students, was roughly 70 percent white, 30 percent black.

REINHARDT: By the time the case came before Judge James B. MacMillan, the Supreme Court had stopped using the "all deliberate speed" phrase, and was saying "now."

MERROW: For Judge MacMillan, a longtime resident of Charlotte, the case was a learning experience.

MacMILLAN: I had thought previously that most racial segregation was a product of economics and accident. I learned in this case that in a modern city, at least, segregation is a product of law and the force of government.

MERROW: You must have known inside that the way you were leaning, what this evidence was telling you was going to fly in the face of many, if not all, of your white friends.

MacMILLAN: Sure. If a judge pretends to be oblivious of the external consequences of a decision, he's either dumb or blind. And nobody could interfere with the whole plan of salvation as drastically as a Southern judge has to do in a school case without some apprehensions.

MERROW: Tell me about those.

MacMILLAN: Well, just the thought that things that had been accepted by me all my life and been accepted by my contemporaries also, and that any action which did what obviously was required under the Constitution would not be very well received.

MERROW: But the things that you had accepted and were no longer going to accept, your contemporaries were perfectly willing to continue to accept. They weren't going to change their mind just because you had changed your mind.

MacMILLAN: Well, query, and one of the first orders I remember making a note that the results in this case had been criticized, but that I thought that most honest, well-intentioned people, if they could just be put in the position of having to absorb as much information as I had absorbed, would probably reach the same conclusions. They might do differently in some details and obviously would, but the result of the evidence, which is what a judge has to weigh and hear, pointed to the fact that some relief was indicated.

REINHARDT: Judge MacMillan issued an order calling for bussing 47,000 students, double the number previously riding busses. He directed the school system to bring about approximate racial balance.

MERROW: The school board fought desegregation and Judge MacMillan every step of the way. Carlton Watkins was in the minority on the board. He favored desegregation.

WATKINS: We had an opportunity during the desegregation case here in Charlotte to choose a more rational plan. We ended up by having a plan that had far distant bussing with very little planning for the future, of what would happen to the particular system. We had bitter comments made about white flight. In fact, there was so much talk about white flight, it became a self-fulfilling prophecy that we had white flight. If you talk about it every day, you're going to get it.

MERROW: Are you saying the board did things like that, talking about white flight, and devised a bizarre plan instead of a rational plan for some reason having to do with stubbornness? I'm not sure what you -- why would the board act that way?

WATKINS: Well, in the original case, which was submitted, the so-called finger plan of desegregation of elementary schools in Charlotte, it was felt at that time that this was such a difficult system, with long distance bussing, that surely the Supreme Court in their infinite wisdom would be smart enough not to have forced all children to bussing all over the countryside.

When the vote came back nine to nothing from the Supreme Court, there were at least some members of the board that were quite surprised. There were several of us that were not at all surprised.

MERROW: You're telling me that Charlotte ended up with more bussing and a more drastic desegregation plan because the board deliberately voted for the worst possible plan because it expected the Supreme Court to overturn it.

WATKINS: That's correct. I don't necessarily mean that there were more children that were bussed by this, because I think that if there were another system there might have been more total children bussed. But they'd have been bussed much shorter distances in much less time, with more planning toward ultimate development in the community.

REINHARDT: Dr. Carlton Watkins, a member of the Charlotte school board during the lawsuit, in the first years of desegregation.

MERROW: Watkins says his pediatric practice suffered during those years because of the unpopular stance he took as a school board member.

REINHARDT: Board members are subject to political and economic pressure. Federal judges, on the other hand, are appointed for life, and are supposed to be insulated from the pressure.

LAWYER ADAM STEIN

MERROW: It didn't work out that way for Judge MacMillan in Charlotte, according to Adam Stein, then a young civil rights lawyer working for the plaintiffs.

STEIN: The shortterm cost was enormous. He appeared to age, he developed a tic in his face, he was -- his house was having to be guarded by federal marshalls, friends of his who'd been friends for 30 years while he practiced law and played golf with him wouldn't talk to him. He was insulted in the press by people with whom he had enjoyed cordial relations over the years.

He's a very gregarious person who, before this or before he was a federal judge, at least, was very popular in Charlotte. And enjoyed the respect of lawyers and everybody he dealt with. Just a very warm, decent open sort of person. And it was all very, very difficult for him. And I think that he survived it all, but you could see it almost from week to week.

REINHARDT: Adam Stein, a civil rights lawyer in North Carolina.

MERROW: Judge MacMillan now says he wasn't aware of being ostracized, and if he did have trouble getting partners for a golf game, that had more to do with his playing ability than his court decisions.

REINHARDT: Adam Stein and his senior partner, Julius Chambers, were threatened a number of times during the case. Chambers' car was bombed, and in 1971, their law firm was burned to the ground.

MERROW: The school board appealed every one of Judge MacMillan's decisions to higher courts. But in December, 1970, the board was ordered to desegregate the schools. Large-scale bussing began.

REINHARDT: School administrators had been quietly preparing bussing plans, but when the court order came they had only a long weekend to get ready.

MERROW: Robert Hanes, then assistant superintendent, remembers that it took several years for things to settle down. But he blames that general unrest on the turbulence of the late '60s, and not just on desegregation.

SCHOOL DEPUTY SUPERINTENDENT ROBERT HANES

REINHARDT: Hanes does admit that Charlotte had racial fights and flareups, particularly at the beginning.

HANES: One particular day, I remember, at one high school when we had had fights and disruptions at the school and so we had dismissed the school early. The black youngsters had remained at school, the white youngsters had gotten on the busses and left. And we had a group of angry white parents standing at the edge of the campus, some with weapons. And we had a line of policemen on the lawn between those parents and the staff and the black students who were in the building.

And I was standing out there with the major of the police department. And he said, what do you think we need to do? And I said, well, you need to move those adults away so that we can get these students on the busses and get them off campus. And he said, yes, I agree with you, and so that show of movement by the police officers forced the parents, or the -- they weren't the parents of those students, the adults, the white adults, to back off. And as they backed further away from the campus, we were able to load the black students on their busses and the police helped get the busses on the way.

REINHARDT: Robert Hanes, now Deputy Superintendent in Charlotte Mecklinberg.

MERROW: Today, the school system is 38 percent black. And most schools have a black enrollment of about that same percentage.

REINHARDT: The rules today, made by the judge, the school board or the federal government, require careful monitoring of racial balance. All mandatory classes, student government and even the cheerleading squad must be integrated. Black representation is guaranteed.

MERROW: I asked two student leaders, seniors Bobby Silver and Carol Jolly, who gains and who loses because of guaranteed representation.

TWO HIGH SCHOOL SENIORS

JOLLY: I think it affects both. I hear a lot of talk about it, and white students say, well, I didn't get in and there are certain places set aside just for black students. But it affects the black student, too, because when you are elected to an office, even though you campaigned as hard as anybody else, you get the feeling that they say, well, you only got it because you're a black. And it makes you feel like your accomplishment didn't mean anything.

But I think without it, in some cases there wouldn't be any blacks who were qualified, just because they were black. So it serves a purpose, but it's a double sword for both of the races and not just one.

SILVER: Personally, I was affected by it, too. I ran for Student Council, and I was the seventh white. But they had three whites, then they had to take the next three blacks and the next three whites, so I missed it by one. And there was some bitterness, naturally, because I had finished in the top nine, but not the top six whites.

So there was some bitterness, but I had to accept it, because I think that it is needed. But I do look to the day that we can just take, like, the top nine.

MERROW: I suspect you, Bobby, have been going to integrated schools all your life.

SILVER: Uh-huh, I've been bussed for five years, and to be honest with you, I value that experience, my five years of bussing, probably more than any of the educational things that I've learned. Booklearning is also good, but I've learned to deal, I think, with people. The junior high I went to, there's four junior highs that feed in their dependents, and I say -- I went, J. T. Williams, yuch. People would have that reaction because it was in a predominantly black part of town, and it is kind of rundown. But you learn to work with people. And I value the years that I spent there, in dealing with people. Because education, I think, is not just booklearning, it's developing a well-rounded person and being able to communicate and things like that.

I learned a great deal of that over there, I think.

MERROW: Do you think your parents and parents generally have learned anything from this experience of their kids being in integrated schools?

SILVER: I think they've learned from that. You asked Carol a question about any resentment. I think there's a lot of -- probably more resentment on the whites, I feel, that I've seen, because they feel cheated out. And I'm sure there's some on the black. But --

MERROW: Feel cheated out of what?

SILVER: They feel cheated out of some things, I think, is what I've found. And I think a lot of resentment is hidden. A lot of them will probably say, well, that's okay. But down inside, I think -- but I think that's come a long way from the fact that the resentment used to not be hidden so much.

But now, they're making that transition to where I think they are accepting it. And they're not as vocal today. But I think they're coming to the realization, a lot of people, that times are changing, and that's part of it.

REINHARDT: Bobby Silver and Carol Jolly, seniors at one of Charlotte Mecklinberg's integrated high schools. They're both honor students.

APPARENTLY, A LEADER OF ANTI-BUSING FORCES

MERROW: Opposition to desegregation hasn't completely died out in Charlotte. Last year forty-three white parents asked that the case be reopened because they say their children are being bused according to race. The courts denied their request.

REINHARDT: Tom Harris was not among those suing, but he supported their effort. Harris started an antibusing group back in the late '60s, and he won election to the school board by promising to fight desegregation.

MERROW: Today, his position is that the Brown decision was right, by which he means that race should not be a factor in the running of schools.

HARRIS: When you say that in matters of public school assignments thou shalt be colorblind, I think that's absolutely correct. I have

always felt that that's absolutely correct. The dual school system indeed was not equal, no question about it. Now when you come 180 degrees, it seems to me, and say that in matters of public school assignment color shall be the predominant decision when one goes to assign the public school system, I think that's absolutely wrong.

I think we have been far too concerned for far too many years with whether or not we possess within the classroom the magical numbers of salt and pepper. And we have been too little concerned with what kind of end product we're turning out.

MERROW: Has desegregation worked in Charlotte?

HARRIS: If your end result was to supply a classroom with some kind of racial numbers, it worked. They're there. And they're there in some kind of -- at one time, 70-30 arrangement, or today in something less than that, as far as the numbers go, arrangement. But they're still there.

In the case of many youngsters, both at the top of the black and the white, I think that as far as the educational system is concerned, these youngsters will achieve, period, sort of with or without us. And I think at the lower end of the spectrum, that it perhaps worked. I think that there are several at the lower end of that who probably have benefitted from it. I think that great number that probably is in-between the middle of that, not the higher achiever and not the lower achiever, but maybe the average achiever, I don't think that they have been given the kind of educational opportunity, maybe, that they should recieve.

REINHARDT: Tom Harris, a Charlotte realtor and for about ten years, a leader of the anti-busing forces in that city.

HIGH SCHOOL TEACHER ROBBIE BOST

MERROW: Desegregation apparently hasn't had any impact on the academic achievement of white students. They're scoring well above grade level in reading, mathematics and language usage.

REINHARDT: On that same test, the California Achievement Test, blacks are just under grade level in the third grade, one grade behind by the 6th grade, and 2 grades behind by the 9th grade.

MERROW: But on North Carolina's minimum competency test last year, over 90 percent of Charlotte's high school juniors, counting both blacks and whites, passed.

Charlotte has not solved the problem of unequal over suspension rates. The system is about 38 percent black, but last year, 50 percent of those suspended were black. It's been that way since desegregation began in 1971.

REINHARDT: Problems aside, Robbie Bost, a high school English teacher in Charlotte, says that desegregation is working.

BOST: I wish you could come into my second period. It's a practical English class, and see how those students relate together. It's about half and half, and those students help each other, they tease one another, they joke with one another, they work at the same places. It's just fantastic, the way the students get along.

Now, in my A.P. class, the top student that I have is

black, Carol Jolly. She is the top student. Very quick, writes very well and all sorts of things.

MERROW: But in this class of about 30, you only have -- 28, you only have three black kids?

BOST: Three black kids in this class.

MERROW: Why is that? That's not in keeping with the proportion in the school, or doesn't that really matter?

BOST: Students are allowed to take whatever they want to. We're not allowed by law to direct them to any particular course. So if a student -- such as in Practical English, I have students who should be in British Lit, but I cannot tell them, according to law, that you've got to take this class, or that it would be better for you to take this class. We're not allowed to direct or guide them in any way, because of racial stipulations.

MERROW: That's been supposedly one of the problems with integrated schools. That is, black kids not having high enough aspirations, not reaching for British Lit, but instead being satisfied with Practical English, not reaching for an A or B, but being satisfied with a C or D. You're nodding your head.

BOST: I think there is a tendency of some people to -- going back to stereotypes, to accept this from students. I think it depends on the individual teacher, what you're willing to accept from the student. Any student in the class is going to have to do -- I expect from my black students in this class the same work I expect from my white students. There's no difference from them.

And I think that you will find that students react to what the teacher expects from them. If you demand it from them, they'll give you the work that you demand.

MERROW: So you're suggesting then that there haven't been enough demands made on the black kids.

BOST: I think a lot of teachers are willing to take an easy way out, and not push the students as much. Or they're not willing to try and push the students as much as they could.

MERROW: There's another side to that, and that is the question of whether the students are willing to push themselves.

BOST: I think the teacher has a lot to do with what expectations she sets for the class, what you're willing for the student to do. If you set an expectation, if the child doesn't meet it, you work with the parent and done everything you can, then you've done your part.

But I think it still goes back to a lot of what the teacher expects from the student.

MERROW: One of the observations that's often made about integrated schools is that the black kids coming in there aren't used to a pattern which says, well, all right, you messed up here, but keep on trying. And that is to say, they're used to being pushed and less accustomed to pushing themselves and therefore end up aiming lower. Have you found that to be true?

BOST: Well, it would be kind of difficult. I think yo u could

have used that supposition in the beginning, when they first started integrating classes. But you must remember, these students have been integrated all the way through. So I don't think you can use that as an excuse anymore.

MERROW: You don't accept excuses from someone. You put demands on them, regardless.

BOST: No, no excuses. They have to produce. Just because a student says, I can't, that's not acceptable.

REINHARDT: Robbie Bost, a high school English teacher in Charlotte, North Carolina.

MERROW: Tom Harris and others in Charlotte who oppose bussing for desegregation, are hopeful that the Supreme Court decision in the Pasadena, California case will soon influence what happened in their city.

REINHARDT: In the Pasadena case, the court ruled that once Pasadena had effectively desegregated, that is, gotten rid of all vestiges of segregation, the lower court could declare the case closed. If the system then resegregated without official action or sanction, well, that was not the court's business.

MERROW: In Charlotte, the question is, how long will the school board have to worry about racial balance?

REINHARDT: And the person to ask is federal District Court Judge James MacMillan.

MacMILLAN: The gist of it is that when the forces which caused segregation are no longer being applied by the governments which produce segregation, there will be no need to worry about segregation.

MERROW: Let me just raise a theoretical notion, and that is that the action the school board takes is either going to improve the balance of the races in the schools, or it's going to affect it negatively. There's no neutral -- there's no middle ground, so that every action the school board takes, it has to then therefore do things that improve the amount of racial integration. Does that make sense as a theory?

MacMILLAN: I suppose it does, because government is involved in everything we do. And to me, the key to the situation is principally the attitude of the board. We have a board which has assumed the obligation of dealing with this problem on their own. And I've been invited a number of times over the past five years to interfere in what they're doing, and I've always refused, because where they're setting -- following a stated policy of treating all races fairly, then the details of what the courts may do with such a school system become far less important.

The folks who want somebody to draw a line are just not being very realistic about the situation. The school board is being very realistic and the day to day and month to month decisions they're making, I prefer to leave it the way it is.

MERROW: Your reading of the law suggests that a school board can never be racially unconscious, always has to look at the color to decide whether its action is going to increase or decrease school integration.

MacMILLAN: Do you know a Southern school board that has ever

been racially unconscious?

MERROW: You want to interview me?

MacMILLAN: I'm sorry. All right, I'll just leave the question. We got where we are because out of tradition, all the acts of all public bodies were racially determined. In an order I filed in February, I believe, of 1970 -- it may have been August -- I collected about 20 fine-print pages of statutes and ordinances of North Carolina which segregated every phase of life from the cradle to the grave, including hospitals and public conveyances and cemeteries. I've had cases about segregation in all those facilities.

And so, the school boards have always been racially conscious. And there's nothing wrong with their being racially conscious now. The law doesn't prohibit racial consciousness, it prohibits racial discrimination.

MERROW: So it's likely then, in the matter of public schools, in your reading of the law, that school boards will continue to need to be aware of the effects of their decision on the races. They can't just ever someday arrive at some time when they would be just racial or would be colorblind.

MacMILLAN: Oh, no, I think we'll get to that point. You're asking about 1980, and -- you're talking in 1980 and you're asking about some time. There are many phases of life now in which people no longer think consciously and often -- and in some areas where they don't even think unconsciously about race anymore. It takes a long time for -- it'll take a long time where it'll get to the point where race will no longer be a factor that has to be consciously considered.

But we're on that road.

REINHARDT: U.S. District Court Judge James B. MacMillan in Charlotte, North Carolina.

JUNIOR HIGH SCHOOL PRINCIPAL IRVING ADELMAN

MERROW: Charlotte-Mecklinberg boasts that it has successfully desegregated its schools. The facts seem to support the claim.

REINHARDT: Are there secrets, rules to follow for desegregation? Irving Adelman, a junior high principal in Charlotte.

ADELMAN: Well, I think you have to get the right kind of teachers. That is absolutely first. I guess the right kind of principal would be up there somewhere.

Secondly, I think you need to train those teachers to be effective in classroom situations on understanding youngsters and understanding youngsters' problems, and whether they're racial problems or emotional problems or family problems. And I guess most of the problems that come to schools anywhere in the country now are family problems, because of the disintegration of the family in our society and that sort of thing, the number of broken homes they come from. They lead to problems in the school.

For a lot of kids, school with the proper atmosphere is a place where kids would rather be than home. So you've got to make it enjoyable for them. Then you have to build into your school some enjoyment programs for kids, not something every day. It's not an entertainment

place. But learning can be fun. And if you make it innovative and you make it creative, and you bring a lot of interesting things into the school, the kids begin to focus on that and the problems begin to become lower priority with them.

And you have happy children, then you have successful integration, successful learning, successful everything.

MERROW: You haven't said anything about black culture, black English, that kind of approach to making integration work.

ADELMAN: Okay, but we don't do it consciously that way. We include black culture, black history, but we do it low key. As soon as you make a big thing out of it, some kids' parents begin to resent it, and then they say nasty things to their kids and the kids bring that back into school.

But the kid's not aware of it if it's brought into the classroom as part of the curriculum. And then if the kid is not aware of it's being anything special or anything different or anything odd, it's something else he learns, then we don't have any problems with it.

REINHARDT: Irving Adelman. He's worked in the Charlotte schools since 1947.

MERROW: We're calling this eight-part series on school desegregation, Race Against Time. We'd like to reach as large an audience as possible.

REINHARDT: Transcripts and cassettes are available at reduced cost, and we hope some of you will get copies for your own schools.

MERROW: The complete printed transcript costs four dollars. The set of audio cassettes cost $18.00.

REINHARDT: Write to us at National Public Radio - Education, Washington, D. C. 20036.

MERROW: The set of eight transcripts, four dollars. All eight programs on cassette, $18.00.

REINHARDT: And our address again, National Public Radio - Education, Washington, D. C. 20036.

MERROW: Next in the series, we're leaving the South and heading west for Los Angeles and north to Chicago.

REINHARDT: Options in Education is a co-production of National Public Radio and the Institute for Educational Leadership of the George Washington University.

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REINHARDT: Options in Education is written and produced by John Merrow. Mary Rowse is our associate producer, and Rebecca Goldfield is our assistant producer. Research assistance by Eleanor Fink and technical assistance by John Wyndoff.

I'm Barbara Reinhardt.

MERROW: I'm John Merrow, and this is NPR - National Public Radio.

RACE AGAINST TIME: SCHOOL DESEGREGATION, PART VII, Program No. 256

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SCHOOL DESEGREGATION, PART 7

CLASS SOUND

STUDENT: A hunter travels 25 miles south and he travels 25 miles east and he shoots a bear. He puts the bear on his dog team and travels 25 miles north to his home. What color is the bear?

MERROW: Want the answer to that riddle? The bear is white. It's a polar bear and the hunter is at the North Pole.

REINHARDT: The teacher is white too, and so are all the kids in that classroom.

MERROW: They're in a private school in Los Angeles, California, a school that probably wouldn't exist if the Los Angeles Public Schools hadn't begun desegregating in 1978. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt, for NPR's Options in Education, with the seventh part of our series on school desegregation. In this report, desegregation in big cities, particularly Los Angeles.

MERROW: LA is the country's second largest public school system, with 540,000 students. About 100,000 more children in Los Angeles go to private school.

REINHARDT: Private school enrollment has jumped considerably since the fall of 1978, after a California State Court ordered a limited amount of bussing, some of the students in grades four through eight.

MERROW: Today, Los Angeles has about 550 private schools, including 30 that opened last year.

THE OWNER OF A PRIVATE SCHOOL

OWNER: Private education is an industry. I think it's an upcoming industry. I believe that the private education, many years ago was you went to an academy type of a thing. Where I think now more and more people are looking at private education versus public education, as an alternative. And are getting the chance to choose that alternative, to go to a place of learning for their choice.

MERROW: Is it a profitable business?

OWNER: So-so. I wouldn't say, you know, it's very profitable. It's -- it pays salaries and things like that. But being a very high profit, it's not. It's one of the lower profit businesses.

REINHARDT: He runs a chain of private schools in Los Angeles. His

teachers make less than their counterparts in public school, but his salary, he told us, is in the neighborhood of $60,000.00 a year.

STUDENTS EXPLAIN WHY THEY ATTEND PRIVATE SCHOOL

STUDENT: I've been going to this school since it opened, the first year, and I think this school and a lot of other private schools are twice as good as public schools, because they work you harder, and I think it's better.

STUDENT: I always hear Jimmy Carter, you know, he's talking about the gas situation and stuff, but they're still bussing people out, you know, and it wastes a lot of gas. My sister, she gets bussed out to Van Nuys Junior High from Canoga Park, and it's a really far ride and wasting gas, when she can go to a public school two blocks away from us.

STUDENT: I agree with Rick, when he said that the bussing is a waste of gas, because my Dad said that we're in so much trouble now with gas, all they're doing is wasting it going up and down the freeways and all that stuff, when we can just go to school like around the corner or something.

STUDENT: Last year I went to a school where they bussed in blacks and Chicanos, and they said everybody thinks it would be really scarey, because you'd think they would beat you up or stuff, and they never -- they were always friends and everything.

STUDENT: I know.

MERROW: So it worked.

STUDENT: Yeah.

MERROW: Why are you in this private school, then?

STUDENT: Well, my Dad didn't want me riding on a bus to LA every day for about three or four hours.

STUDENT: Even if you're just bussed 10 or 15 minutes, I mean the kids are happier in their neighborhood schools where their friends are. When you have to be bussed way out there with people you don't know and the people really don't want to be around you, too.

MERROW: So you make new friends.

STUDENT: I know, but you know, they'd rather be near their home and near their neighbors and everything and go to the same school.

MERROW: Their parents pay about $2,000.00 a year to send them to private school. The school principal says that at least one-third of them are there to avoid bussing.

REINHARDT: Many parents are afraid the quality of their children's education will deteriorate with desegregation, and they expect the extra $2,000.00 will buy quality. They might be disappointed.

A PRIVATE SCHOOL TEACHER

TEACHER: Good. Six, Christie?

STUDENT: If I had swam another yard I would have gone under -- went under.

STUDENT: Swum.

STUDENT: Swum.

TEACHER: I would have gone under is correct. Okay, good. Michelle.

STUDENT: Swum.

STUDENT: It's swum.

TEACHER: No, you have a choice of went or gone.

STUDENT: I know, but the first one is swam or swum.

TEACHER: He swam.

STUDENT: It's swum.

TEACHER: Oh, I'm sorry, I'm looking at the wrong one. You're right. Number six, had swum. Had swum, because you've got had so you have to hve the "U" form. Okay, Bobby, number seven.

MERROW: I spent an hour in her class. The teacher spent most of her time trying to keep the kids quiet.

REINHARDT: California has almost no laws or regulations governing private schools. Anyone may set one up, as long as the building meets fire and safety codes.

MERROW: The only curriculum requirement, physical education.

REINHARDT: Anyone may teach. No training required.

MERROW: California also allows home tutoring, but there the requirements are stiffer.

A TUTOR, ONE OF THE MANY WHO HAVE SET UP SCHOOL PROGRAMS

TUTOR: -- has in fact gone out. Okay, that's a story about a

campfire. Now we're going to read the whole thing and find out if there is more of a story to these verses than just about the campfire. They're going to be comparing something. We have two vocabulary words that we need to think about first. Next to the bottom line you see they have a hot thump and a vaunting whoop. What is it to vaunt, would you guess? A vaunting whoop.

STUDENT: Swinging?

TUTOR: That's a good guess, too. To vaunt means to brag or boast. All right, now --

MERROW: She used to teach in the public schools, but now has a tutoring program for elementary school children. She teaches six in the morning, six in the afternoon, the maximum the law allows.

REINHARDT: For her tutoring program to be state approved, she must be certified and teach 175 days a year.

MERROW: But the state says a student's day may be as short as three hours. This teacher meets those minimum requirements.

A TUTOR DESCRIBES WHAT HER KIDS DO IN CLASS

TUTOR: This morning we went through the grammar and we went through the literature and we did a lesson on adjectives, we did a lesson on courage in literature, and we did some reading assignments, and in reading in particular I have them on an individualized program, at their reading levels, so it's totally at what each individual needs. If they need comprehension or vocabulary, word building, whatever they need. So they do it totally individually and it's just between them, the individual student and me, and we go over those together.

MERROW: You have to forgive my skepticism, but how does it fit in that they pay money to come sit here and do homework?

TUTOR: They're not doing homework. I don't know why you say that.

MERROW: All right.

TUTOR: They're doing a followup of a lesson I just gave.

MERROW: For what purpose?

TUTOR: This is a math -- we're in a geometry unit, and we're going through one step of it on circumference.

MERROW: This seems to me to be the kind of thing they would do

at home. That's why I keep calling it homework.

TUTOR: No, it's a followup to make sure they understand how to do it, and I'm available for questions and they have an additional assignment for homework.

MERROW: How much homework does one of your students have a day?

TUTOR: You might ask them. I think they have about normally an hour and sometimes it could be two hours, two and a half hours.

STUDENT: Me it doesn't take very long, you know, a half hour or so.

MERROW: How about for you?

STUDENT: About an hour.

MERROW: Every day?

STUDENT: Uh-huh.

MERROW: Is that more homework than your friends in public school, your friends in private school have?

STUDENT: I doubt it. Probably have less than they do.

REINHARDT: Her students pay $150.00 a month to be tutored. They're all eighth graders who would have been bussed for desegregation. But for one reason or another their parents didn't want that.

A MOTHER WHO SENDS HER KIDS TO PRIVATE SCHOOLS AND TUTORS

PARENT: We picked this particular area to live when we moved down here from northern California because we liked the particular schools and the children had been in them several years and we knew like the office personnel, and we felt real secure. And all of a sudden they came around and said, well, now we're going to take the kids out and we're going to bus them to an area where we looked at housing and chose not to buy.

LAUTERBACH: Did you go to check out the school they would have been bussed to at all, to see what it would be like?

PARENT: No.

LAUTERBACH: You already had an idea that you weren't interested.

PARENT: We've been past it. We've been there. And I've talked to other people who went to this school. And I feel I did check out a

school. I believe it was Fourth Street School, when the early part of the bussing came. They encouraged parents to go and check some of the other schools, and I went with a busload of parents to this other school, and I found on the whole, without the students, it was a nice, you know, it was an older school, but neat in appearance and the teachers were very gracious to us and served refreshments, and without -- you know, even the parents there was a definite rapport between, but that was without the students there. It seems somehow when the kids get mixed up together it's a lot different.

LAUTERBACH: So you don't think the answer is desegregating the schools?

PARENT: No. I think -- I've found in our family it has made the kids very, very prejudiced. They now say things that they can -- the smell of the other kids, grease in their hair, the types of clothing that they wear. They think of nationalities now in a much more definite way than they did before. And they have real definite prejudices about particular things about those kids, that they didn't have before. They were much more accepting of other races.

MERROW: That Los Angeles mother was interviewed for Options in Education by Chris Lauterbach.

REINHARDT: Her children were taken out of public school two years ago when bussing for desegregation began.

MERROW: Political scientist Gary Orfield wishes that whites wouldn't automatically react against desegregated schools, but would give them a chance.

POLITICAL SCIENTIST GARY ORFIELD

ORFIELD: Integrated education is not a bad thing. Most people find out that after they experience it it's nothing like they expected, and in fact some people become very identified with it. Oftentimes you find anti-bussing people come into schools terrified as volunteers the first year of desegregation plans, and they become very, very supportive and positive towards it as time passes. It's, I think, for many Americans, the experience of actually functioning in an integrated setting, once it settles down, is a very uplifting experience. I think most of us really think our society ought to work that way. And when you do go through it and you do have it work, it becomes exciting. Most of the people that leave public schools and integration plans never try them. They leave shearly on the basis of their stereotypes. They never let their child go for one day. And that's when our big loss occurs.

The people who actually try it, if the plan is sensibly designed, usually stay.

MERROW: Gary Orfield, Professor of Political Science at the University of Illinois and author of, "Must We Bus?"

REINHARDT: Some people are afraid of desegregated schools, for reasons like fear of violence, concern for academic quality, attachment to the neighborhood school, and racism and ignorance.

MERROW: And so, when desegregation is imminent, whites and some middle class blacks leave the public schools.

REINHARDT: And the public school enrollment, particularly in big cities like Los Angeles, grows blacker and browner. Last year, LA schools were 27 percent white. Early enrollment figures for this year indicate the percentage has dropped to about 24 percent. In 1972, the schools were 46 percent white.

MERROW: There are about as many blacks as whites, 24 percent. Hispanics make up the largest group by far, over 40 percent.

REINHARDT: Paul Egly, the Superior Court Judge who's overseeing the Los Angeles desegregation case, tried to impose a three minority desegregation plan, blacks, browns and whites. But he was overruled by a higher court. The new plan lumps whites in one group and everyone else in another. That means less bussing than Judge Egly's three minority plan called for.

MERROW: In fact, only 12 percent of LA's students are bussed for desegregation.

REINHARDT: Judge Egly divided the LA School District into 11 sections and concluded that no desegregation was possible in four of them.

MERROW: He ruled that those areas should get smaller classes and extra materials and that teachers there should get an 11 percent bonus, popularly called combat pay.

REINHARDT: Judge Egly says he'd prefer not to seem to be approving racially isolated minority schools, but he says he has no choice.

CALIFORNIA SUPERIOR COURT JUDGE PAUL EGLY

EGLY: All my life I've been -- at least all my legal life I've been dedicated to the proposition that separate but equal is not equal. But when you're faced with a situation of where you can't get rid of the separateness, you have to do the best you can with what you hae left over. That's what I'm talking about.

MERROW: Look down the road nationally. I mean do you think school desegregation is just one of those issues that's going to be

with us for ever and ever?

EGLY: I don't know. I think that in many ways, because of the impossibility of adequately monitoring a large school district in a metropolitan area, that many things happen in the school district, either intentional or unintentional, which tends not only to create but to maintain segregation, because that's the way it has been done. It's a complicated problem, because of course residential patterns and other things which the school district has no control over. But -- but I think if the school district were to become conscious of the fact that everything they do from the time they adopt the budget to the time they go into the planning process until the time that they implement, that -- or acquire land or close down schools, or anything that they do, effects segregation in some manner, either creates segregation or desegregates or tends to desegregate.

At any rate, it will require, if there's an attempt by a court to desegregate the district, it will require that school district, if it is at all conscientious, to think every time they make a move, what is it it's going to do about segregation. Is it going to resegregate? Is it going to segregate? Or is it going to desegregate?

MERROW: Are you of the opinion that boards haven't asked that or do you think maybe they asked that and always opted in favor of things that increased barriers?

EGLY: I don't know. I would like to think that they're just maintaining the status quo, that if there has been segregation, they don't wish to disturb it, and if there's been patterns they don't want to change the patterns. In Los Angeles I've required -- I haven't seen evidence of compliance yet, but I assume that the board will comply with the requirement that every move they make that involves major changes in budget, land acquisition, building and demolition, tenants' pattern changes, that they produce before they act a desegregation impact report. And I'm asking them to do that so that they will be forced to think about desegregation and segregation when they do an official act.

Now, given the confines with which th board has to work, that is within the political limits, within the financial limits -- when I say political limits, I'm talking about the political boundaries -- at least sufficient care will be taken under their official actions so that there will no longer be official acts of segregation. There may be official acts of desegregation, and that this will be constantly in the uppermost in their mind upon any policy change, and that sooner or later, within the limits of possibility, that is within the limits of the numbers within the district, at least desegregation will occur and segregation will disappear.

REINHARDT: California Superior Court Judge Paul Egly.

MERROW: Judge Egly doesn't expect the LA School Board to stop fighting him. In fact, he told me he thinks the board has already deliberately disobeyed his orders regarding class size.

REINHARDT: In its fight against desegregation, the board has paid more than a million dollars in legal fees to outside lawyers. The board also has its own attorneys.

MERROW: Judge Egly wants the school system to spend proportionately more of its resources in the racially isolated districts, the ones desegregation isn't touching, but will a nearly all white and strongly anti-bussing board vote to put more money into black and Hispanic schools? Ron Edmonds says schools don't work that way.

RON EDMONDS OF THE NYC PUBLIC SCHOOL SYSTEM

EDMONDS: If you do an analysis of the way most schools work, what you'll discover is that middle class children in the school do relatively well and working class children do somewhat less well and poor children tend to do poorly. That's because the schools invest most of their energy and concern in those children about whom they care most, and since schools are an extension of our general social order, and we happen to live and function in a social order that cares much more about some people than it does others, schools are not an exception, and therefore schools tend to serve best those they think they must and they serve least well those they think they are least obligated to serve.

In any case, let me give you a case in point. If achievement data reveal that middle class children are suffering a decline in their achievement scores, then most educators will scurry about on the general understanding that they are doing something wrong and they've got to do something different, because these middle class children are clearly not achieving at a satisfactory level, and that therefore the school may alter its instructional materials, or it may alter the way the classroom is organized or the way time is spent or it may do something that's different from what it just did, on the assumption that the declining achievement level for these middle class children is quite unsatisfactory.

When the achievement scores reveal that poor children aren't doing particularly well, schools tend not to respond that way. They tend simply to argue that, well, poor children have familial circumstances, neighborhood circumstances, environmental circumstances, nutritional circumstances, that explain away the decline in their achievement and that causes the school's response to a decline in achievement scores for poor children to be dramatically different from the way the school responds to a decline in achievement levels for middle class children.

REINHARDT: But as long as there is a, say, predominantly black school in an inner city, which has a predominantly poor group of students, then won't what you've said continue to be true?

EDMONDS: Well, what I would say to you is that as long as the school meets my first test, this predominantly black, this predominantly poor school is not characterized by discrimination in pupil placement, the likelihood that they will get better in their achievement where they are may not be good, but if you send them off to suburban schools and other schools, then the likelihood may disappear altogether.

MERROW: Ron Edmonds of the New York City Public Schools. Additional federal and state funds generally go to school districts that are desegregating. The extra money can improve quality.

REINHARDT: But merely mixing children of different races and spending money on extras like counsellors and curricula materials aren't enough. Gary Orfield says that the newly desegregated school and its staff have to change. I asked him what he'd do if he were a principal in such a school.

GARY ORFIELD

ORFIELD: When a student body changes, usually the teacher, the faculties, change at the same time, because the teachers are desegregated too. And the fact is that you have to change from a school that addresses whatever was the dominant group in your own particular small neighborhood, to a school that addresses children much more comprehensively, if you're going to do a good job with desegregation. And you have to address the racial issues very concretely and in a firm and creative way, and the things that you have to do are help the teachers deal with a much more heterogeneous background of children, both culturally and educationally. There's likely to be more of an achievement range inside the class. The teacher's going to need to know how to individualize better. Teachers are going to need to know something about the new group of students. A lot of teachers spend a whole career in one or two schools and learn about that particular neighborhood and community and its values and not about the rest of the city. There is a need for teachers to be able to talk explicitly about racial issues. We have evidence that if the teachers talk about these issues the kids all know they exist. They're not stupid. Teachers talk about them openly, things work out better. There's a need for teachers to know how to help race relations work better. If the children are seated interracially, things work better. If they can be put in work groups where they do common projects, race relations are better. If the principals is perceived by the white and black and Hispanic students as being fair and believing in this process, things work better, and the teachers behave better, and the students believe that the school is more equitable.

There's many things that have to be worked out at the time of desegregation. It's a time when you can produce a great many positive educational changes, or you can sort of drift into lots of problems.

REINHARDT: You pretended you were the principal, but you believe in integration. What if you're the principal who does not and is not committed to it?

ORFIELD: You should be fired. That's one piece of advice that I would say to any community group or any school superintendent or school board, is when you start a desegregation process if you have a principal who's bigoted on whatever side of the racial line, doesn't believe in this process, is going to just continue to do whatever he did before, he should be removed. He's a menace to that school system at that point in time. This is not a situation where a stand patter can stand pat, or problems develop. It's a situation where you need a strong, fair leadership that's respected by the students and teachers.

MERROW: Gary Orfield, author of, "Must We Bus?"

REINHARDT: But too many large public school systems are already stagnant or deteriorating, and desegregation isn't seen as a challenge or an opportunity but just another impossible burden.

MERROW: One Los Angeles private school teacher says she left public school because too many of her colleagues were more interested in discipline than in learning.

A PRIVATE SCHOOL TEACHER EXPLAINS WHY SHE LIKES HER PRESENT JOB

TEACHER: A couple of the teachers would make the kids stand up with their hands against the wall and pile books on their hands if they were noisy at all. And the kids, their arms would slack down, so they'd put more books on their hands. Torture. The kindergarten teacher walked around with a stick in her hand, ready to hit them any time they did anything wrong. The principal would come in my room and harass the kids. They'd come up to her and say, "Look what I did. Look what I did." And she'd say, "Look how messy that is." Just ridiculous kind of -- it was not child oriented and the administrators did really not know too much about kids or teaching, were real critical of us. A lot of prejudice.

MERROW: Against you because you're white?

TEACHER: A white, young teacher, yeah. A lot of prejudice to deal with. And there were a lot of teachers there, white teachers, that didn't like blacks or children, and those were the children that had the kids up with their hands.

MERROW: Oh, it was the whites giving punishment.

TEACHER: Uh-huh. Uh-huh.

MERROW: Was that your first teaching job?

TEACHER: Uh-huh.

MERROW: That's a real baptism.

TEACHER: My kids were really wonderful. My class was a family. It was a safe place for them to be, so it was good for them. For me too. It was really good there. But I didn't teach. I disciplined and I tried to get their self images up enough to be able to teach them, and that took almost the whole year. Here there's no discipline problems. All you do is teach and they soak it up.

MERROW: Does it bother you, teaching in an all white environment?

TEACHER: It's heaven here. It's like the most wonderful place in the world. I love every single day of it. I come here, there's no harassment, there's positive reinforcement. They come in every day and pat me on the back. They're just wonderful. I felt a little more needed there, you know. I think that almost any average teacher could teach here and have success because these kids have supportive parents, have wonderful parents at home that help them and in the inner city they don't have that at all.

MERROW: You didn't answer my question.

TEACHER: What was the question?

MERROW: Does it bother you teaching in an all white environment, not having any -- having kids who don't have any understanding of the integrated --

TEACHER: It bothers me a little that it's not a real world for them, you know, that they're not seeing any of the real -- but then they're young and why should they have to? It doesn't bother me, no.

REINHARDT: Los Angeles, like a lot of other major American cities, cannot be desegregated without a great deal of long distance bussing. Unless the metropolitan areas are included, and they don't want any part of it. The suburbs have formed an alliance to fight it.

MERROW: The city is growing blacker and browner and poorer. Many whites, Hispanics and blacks are opposed to desegregation, or at least question the wisdom of racial balance. The blacks and Hispanics know that the limited desegregation that began in 1978 included the black and Hispanic schools with the highest test scores, that is the best minority schools. That was to lessen white fears.

REINHARDT: But decisions on how to desegregate are not put to a popular vote. They are made by reluctant school boards or by the courts.

MERROW: Next, we'll take you to the city that some call the most segregated in America, Chicago.

Laurie, you're a freshman here, first year. Next year would it be much different if more than one black kid wanted to come to this school?

STUDENT: Yeah, a lot different.

MERROW: How so?

STUDENT: There's going to be a lot of fights and all that, a lot. They don't really even care about grades and everything. They just -- I don't know, I think it'll be a lot different.

MERROW: Well, let me just guess that maybe ones who chose to come here probably would care about grades. I mean they would want to come here because they've heard this is a good school.

STUDENT: Yeah, maybe. But it's just going to cause a lot of problems anyway. I don't see -- I'm against it. I'm against even one in the school.

MERROW: Why do you feel that way?

STUDENT: Because they belong in their own schools. I don't think they belong over here. They don't care about education anyway, so I don't think so. Well, some of them, maybe, I guess. I don't know.

REINHARDT: We're calling this eight part series on school desegregation Race Against Time, and we'd like to reach as large an audience as possible.

MERROW: For that reason we're selling copies of the series at a reduced price. The printed transcript of all eight programs costs $4.00.

REINHARDT: The set of audio cassettes costs $18.00.

MERROW: Write to us at National Public Radio - Education, Washington, D. C. 20036.

REINHARDT: The set of eight transcripts, $4.00. All eight programs on cassettes, $18.00.

MERROW: And our address once more, National Public Radio - Education, Washington, D. C. 20036.

REINHARDT: Options in Education is a co-production of National Public Radio and the Institute for Educational Leadership of the George

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MERROW: Support for the series is provided by the National Institute of Education and the Corporation for Public Broadcasting.

REINHARDT: Options in Education is written and produced by John Merrow. Mary Rouse is our Associate Producer and Rebecca Goldfield is our Assistant Producer. Research assistance by Eleanor Fink and technical assistance by John Widoff.

MERROW: Some of the material for this program came from Chris Lauterbach in Los Angeles. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt.

MERROW: This is NPR, National Public Radio.

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SCHOOL DESEGREGATION, PART EIGHT

WHITE STUDENT DOESN'T WANT BLACKS IN HIS PUBLIC SCHOOL

MERROW: What would happen to this school if for some court order or something like that, this school had to desegregate?

STUDENT: Well, I really think that it would go downhill. Well, not downhill, but I think the morale of the school would probably be broken, because like we've always considered Bogen, you know, we're really one of the last white schools, you know, and why should we bus them? I think it will just cause trouble, really, you know, because now there's --

REINHARDT: Senior Class President of a Chicago high school.

MERROW: 1,850 students in his school. Only one is black.

STUDENT: It's not that we mind them being here, really. I mean it's just like being taken over, you know. It's our school and now -- I don't see why they can't just be at their own school. I don't see why their school isn't just as good as our school. And our school is good because we made it good.

REINHARDT: Where do young whites learn racist attitudes? Where do they get the idea they're entitled to their own schools while blacks and other minorities are supposed to stay somewhere else?

YOUNG NEO-NAZIS DON'T WANT BLACKS IN THEIR NEIGHBORHOOD

YOUNG MAN: For the first time in a long time. We're all from different neighborhoods. Nobody here knows you guys, but we've got a common bond. We're all white and we're all together.

YOUNG MAN: We're all together.

YOUNG MAN: And we're going to stick it out till we're finished.

YOUNG MAN: White power. White power. White power.

MERROW: They have only to look around them.

REINHARDT: Today, we're asking our public schools to break down racial prejudice by desegregating. I'm Barbara Reinhardt.

MERROW: I'm John Merrow, for NPR's Options in Education, with the conclusion of our series on school desegregation.

REINHARDT: In this report, we're going to the city many call the most segregated in the nation. Its many ethnic groups, its

historically centralized political machine, its sheer size, all have in their way contributed to a tightly constructed system of segregation.

MERROW: In Chicago, separate housing. separate neighborhoods, separate work environments, and separate schools are a way of life.

A STUDENT EXPLAINS WHY WHITES DON'T WANT BLACKS TO MOVE INTO WHITE SECTIONS

STUDENT: A lot of parents around here are city workers. They're firemen, policemen, you know, they work for the city, they have to live in the city, and right now they're on the edge of the city and you know, they have to live here. They're on the edge of the city and this is a good neighborhood and they see it as a good neighborhood, and they've moved several times because of blacks in the neighborhood. Now, a lot of them, you know, have moved from inner parts of the city out to the edge now, and they feel their back's to the wall.

REINHARDT: Chicago has nearly half a million public school students. Fewer than 20 percent of them are white.

MERROW: Most of the white students go to all white or nearly all white schools, and half of Chicago's 650 public schools are at least 90 percent black.

REINHARDT: Chicago does have a desegregation program. It allows free voluntary transfer to any school with space available, and it has 10 Magnet schools with special programs designed to attract both blacks and whites.

A BLACK GIRL WHO GOES TO A MAGNET SCHOOL LIKES IT

STUDENT: My old school, the teachers, they are not really that strict, but they try to teach you the best they can, but at this school they're stricter than at my old school.

MERROW: Strict is good.

STUDENT: Yeah. They put more pressure on you here than they would at my old school.

MERROW: You know what I'd like to know about? I'd like to know about your friends. Are most of your friends from here or from your old school?

STUDENT: From my old school.

MERROW: Uh-huh.

STUDENT: In my old school I had a lot of friends at my old

school, but this is my first year here, so I really don't have too many friends.

MERROW: Uh-huh. What do your friends say about your coming to this school?

STUDENT: Nothing. Some of them like me and some of them don't, so it doesn't really bother me.

MERROW: Some of your friends like you and some of your friends don't like you?

STUDENT: They're not really my friends. They used to be my friends. They don't like my ways, sort of, and I don't like to be around them because they like to start trouble, and I don't like to be around people that like to start trouble.

MERROW: They like to start trouble?

STUDENT: Most of them around my house, but not -- some of them are okay.

MERROW: Do they think you're trying to be special?

STUDENT: Yeah, that's what they think. That's why they stop wanting to hang around me, because they think I'm trying to be more than everybody else.

MERROW: Are you?

STUDENT: No. I'm just trying to be myself.

MERROW: But they sort of get angry. They seem to resent the fact that you want to go off and go to a better school?

STUDENT: Yeah, because most of them want to come here, but they have to get the application to come, and if they can't get it they take it out on me.

MERROW: Oh, so maybe there's a little bit of jealousy.

STUDENT: Right.

MERROW: One of the reasons to have a school like this is not just to get a better education, but it's also to get black kids and white kids and brown kids going to school together. Does that make sense to you?

STUDENT: Yeah, because if they don't mix, then there'll be a lot of prejudicedness, and I don't think prejudicedness is right. I'm

against prejudice, because if you can't mix with other people, they're only human, just like you are. They're not going to bite you or something. Like I don't see why people are prejudiced. They should be friends with anybody, regardless of race. So I think I'd rather stay here than to be around a whole lot of black people, because some of them are really prejudiced.

MERROW: So are some white people.

STUDENT: Yeah, but I think it's moreso -- I don't know whose fault it really is, but that's something you learn when you're little, to be prejudiced, it seems like.

MERROW: You do find it back in your neighborhood, people there who are prejudiced against white people?

STUDENT: I had a best friend that's prejudiced.

MERROW: Oh. Tell me about that.

STUDENT: Well, we couldn't really get along because of her prejudice, because I told her about some of my white friends and different kinds here, and she didn't like to talk about it, so we had a big argument, and we just broke up our friendship.

MERROW: Well, that's too bad.

STUDENT: Well, it's not too bad, because I still like some of my friends.

MERROW: Well, it's too bad that she couldn't learn not to be prejudiced.

STUDENT: Yeah, it's too bad for her, not for me, because I'm going to have fun anyway.

MERROW: Do you ever find prejudice here?

STUDENT: Yeah. It was -- I don't really want to mention her name, because it was a teacher.

MERROW: Well, don't mention the name, but tell me about it.

STUDENT: Well, she couldn't get along. It seemed like every time somebody else did something, she always blamed it on a black person or something. But she was a sub. Our teacher came back, so she wasn't here that long.

MERROW: And she's gone now?

STUDENT: Yeah, she's gone.

MERROW: But you like this idea, and this is better for you, you think?

STUDENT: I think it's better, because when you grow up then you already know that you should get along right and you'll know how to get along with them and relate to their problems and they'll know how to relate to yours.

MERROW: Of course at your old school you probably could have just walked to school, right?

STUDENT: Yeah.

MERROW: And been there easily.

STUDENT: Yeah, and this way you get to travel more than you would at the old school, because I just walked to the school, get to school, do your work and walk back home, and at this school you get to see more of the city.

MERROW: Oh, you even like the travelling.

STUDENT: It's okay.

REINHARDT: She goes to the Decatur School, one of Chicago's Magnet schools, created to attract blacks and whites.

MERROW: Chicago has named its voluntary desegregation program Access to Excellence, but only 7 of the system's 650 schools are Magnet schools. Where's the access in that?

REINHARDT: Every year for the past dozen or so years, Chicago has applied to the federal government for money set aside for school systems that ae desegregating. And every year the federal government has turned Chicago down, saying the city's efforts are insignificant.

MERROW: Last school year the federal government started getting tough. It tried to get Chicago to bus about 25 percent of its students. Chicago said no and the Justice Department threatened to sue.

REINHARDT: Then suddenly and close to the Presidential election, President Carter's Justice Department and the Chicago School Board reached an agreement, one which put off desegregation decisions until well after the November election, but which immediately released nearly one and a half million dollars in federal money to the Chicago schools.

MERROW: The NAACP cried foul. Thomas Atkins, the NAACP's General Counsel, called the agreement a slap in the face and an afront

to black people and other minorities, that the Justice Department would put the responsibility for a desegregation plan in the hands of the principal discriminators.

REINHARDT: The NAACP went to court to try to become a party to the suit, but while that was brewing, the School Board put out the fire. It hired a black educator, Robert Green, to be chief desegregation planner. Green has worked for the NAACP in other segregation cases.

MERROW: And so Thomas Atkins now has a less impassioned view of the agreement.

THOMAS ATKINS, NAACP GENERAL COUNSEL

ATKINS: Viewed from the best possible light, it means that the Chicago board wants to get on with the business of desegregating the schools in a system that has widely been regarded as one of the most thoroughly segregated in the nation, and that the government wants to see that happen with the least amount of to do.

Viewed less optimistically, as some have viewed it, we have not so stated. The action could be viewed in political terms as related to the fact that this is a Presidential election year.

I don't know what the motives are. We don't really care what the motives are. We're dealing with fact and the fact is that a consent decree was -- a complaint was filed, a consent decree was filed. It has certain implications for what happens in this district in public education.

WAGNER: Could you give a rundown of those implications?

ATKINS: Well, the implications are that the board is supposed to come up with a plan by February which it will make available for community comment, and in March to submit a plan to the court, and in September of 1981, implement a desegregation plan.

A careful reading of the consent decree would not make it possible for anyone to conclude with any particularity what's going to be in the plan.

REINHARDT: Thomas Atkins, NAACP General Counsel, interviewed for Options in Education by Linda Wagner.

There are no specifics in the consent agreement between the Justice Department and the Chicago schools. That's the main reason for the widespread that it's an election year ploy by President Carter.

MERROW: But political scientist Gary Orfield, a strong supporter of bussing for desegregation, is cautiously optimistic.

POLITICAL SCIENTIST GARY ORFIELD

ORFIELD: The key decisions have to be made by the school board. The school board has to submit something or else we may be in for a long legal battle like we would have seen in the first place. And other key decisions have to be made by the Justice Department, which may be Jimmy Carter's Justice Department or may be Ronald Reagan's Justice Department when the time comes to make those decisions.

The NAACP is fighting right now in Federal Court in Chicago, to try to get into this process, so that there's some outside involvement. There have been so many times in the history of Chicago when it seemed like something was moving towards action on desegregation, starting with board resolutions back in 1963, that seemed very optimistic at that time. That there are many people who have been burned many times and are profoundly skeptical, and who look at this consent agreement and say it doesn't really guarantee anything, and who say there are provisions in it that are less difficult and less challenging than those that the Justice Department has insisted on elsewhere.

For example, I'm working in St. Louis, where the required -- the Justice Department insisted that we desegregate the faculties in the city, to within 5 percent, plus or minus, of the district wide racial composition of teachers. In Chicago it's plus or minus 15 percent.

Those kinds of things create feelings of concern among people who've been involved and among people who have become very cynical about Chicago. You don't really see very much successful educational change unless the teachers and administrators who have to do it after the court finishes its work have some role in designing what they have to do. So I'm hopeful, because of the people who are involved and because of their own personal history, and because I hope against hope that this can be done by the educators in the city and by the school board, rather than it has to go into a very bitter and expensive and nasty polarization and end up with a plan that somebody designs who doesn't know anything much about the city. It's much too important a city and it's much too important for almost three-quarters of the Latino and black children in this state to go through that kind of terrible travail, if there's any possible way to avoid it.

REINHARDT: Political scientist Gary Orfield, author of, "Must We Bus?" Interviewed for Options in Education by Janet Bond.

A WHITE GIRL WHO DOES NOT WANT TO GO TO SCHOOL WITH BLACKS

STUDENT: There's going to be a lot of fights, I know that, a lot. I don't know. It's going to be weird. Different kids in the classroom from different schools and stuff. I don't know. They don't

really even care about, you know, their grades and everything. It's just, I don't know, I think it'll be a lot different.

MERROW: Well, let me just guess that maybe ones who chose to come here probably would care about grades. I mean they would want to come here because they've heard this is a good school.

STUDENT: Yeah, maybe. But it's just going to cause a lot of problems anyway. I don't see -- I'm really against it.

MERROW: Is there any number that you wouldn't be against?

STUDENT: No. I'm against even one in the school.

MERROW: Why is that? Why do you feel that way?

STUDENT: Because they belong in their own schools. I don't think they belong over here.

MERROW: Some people would say that what you're saying is basically racist. You're saying whites only.

STUDENT: Uh-huh. They'd probably say that. Well, that's how I feel, though.

MERROW: Whether it's racist or not.

STUDENT: Yeah. I'm against it.

REINHARDT: She goes to one of the few all white schools in Chicago. Because her father works for the city, her family has to live within city limits.

MERROW: Their white community is bordered by black Chicago neighborhoods on one side and by white suburbs on the other. The family feels trapped.

REINHARDT: The schools in the suburbs surrounding Chicago are 90 percent white.

MERROW: Some people feel that suburban and city schools ought to get together in what is called a metropolitan desegregation plan. After all, in some ways the city and the suburbs are one community. William T. Coleman.

WILLIAM T. COLEMAN

COLEMAN: Today in Chicago you have a great Chicago Symphony. The people that support that symphony come from all over, not just from Chicago. The baseball teams there could not be supported just by

Chicago. The business community, the banks. I mean there's no part of government today in Chicago which doesn't have an inner working with the suburbs. The one thing that's denied that is the school system, and it's denied it for one simple reason. That's because to start it there are blacks involved.

REINHARDT: Attorney William T. Coleman.

MERROW: Political scientist Gary Orfield has written several reports for the State of Illinois about desegregating Chicago's schools.

GARY ORFIELD'S RECOMMENDATIONS

ORFIELD: What I recommended was that as many schools as possible within the central city be desegregated on approximately a 50/50 basis between minority students and white students, and an effort be made to stabilize the integrated areas as much as possible, to leave alone the areas that had natural integration. There's a few of them like Hyde Park and a few other neighborhoods. And that all of the rest of the effort be looked at -- be directed towards involving the suburbs in some way or other. The first way to involve them would be through a voluntary exchange, like we have in several cities now.

More than a fifth of the seats in the suburban school districts around Chicago were empty as of two years ago. They're facing the prospect of closing down an awful lot of their schools, all over the metropolitan area, including some of the finest schools in the Chicago region. That means that a lot of communities are going to lose their neighborhood schools and fire good teachers unless they can find some students from somewhere. Chicago has a lot of students who need good quality, integrated education. Those would be some of the components.

I think in the long run for Chicago or any other large city with an overwhelmingly minority student body, there would probably have to be a mandatory metropolitan assignment plan of some sort.

MERROW: Gary Orfield, a political scientist at the University of Illinois and author of, "Must We Bus?"

The new school board appointed by Mayor Jane Byrne has five blacks, including the Chairman, among its 11 members.

REINHARDT: The new board is far more interested than the old board in reaching an agreement with the federal government, and in getting federal desegregation dollars.

MERROW: The new board isn't likely to spend millions to keep schools segregated, which is what former school boards did, according to George Schmidt.

GEORGE SCHMIDT SAYS THAT KEEPING SCHOOLS SEGREGATES IS ALSO EXPENSIVE

SCHMIDT: The cost of segregating the city has been enormous. Chicago, in order to segregate its school system, had to build a dual school system. It primarily did it in the 1950s and '60s. Wherever you had the option of building two -- or building one school which would has been integrated in an area where you have an integrated population spread out over maybe a mile or a mile and a half, Chicago would build two. It's a very expensive proposition. And that's the economic factor. Chicago spends an awful lot of money to maintain segregation. It's taxpayers' money that wouldn't have to be spent if there were some attempt to integrate.

Additionally, now, both the state and federal governments are withholding funds from the Chicago public schools, in the middle of our crisis, because of segregation. That's additional money lost.

Beyond that there's a whole social question of how many generations we can go on training both black and white children in these Skinner boxes of segregation, to come out with the attitudes that they learn just by the fact that their education is totally segregated.

When I taught, it was about three or four years ago, on the west side of Chicago, in the Lawndale community, which is primarily Mississippi immigrants, the majority of my students at Collins High School had never been in a classroom with a white student. One of our students went to Memphis for six months and then came back, and he had been in an integrated school in Memphis, and the kids said, "Well, didn't you fight all the time?" And he said, "No, it was okay." There is nothing in their experience to make that possible for them.

They argued with me because the majority of them believed that the majority of people in the United States were black. These were high school freshmen and sophomores. I brought out the world almanac and other things like that. I said, "Look, it's not true. You can drive from here to Denver and you're going to find very few black people." That's the majority. But they don't drive from here to Denver. They drive from here to Mississippi maybe, and they stop at places where there's mostly black people, and then they get to Chicago and they're in a black world. That's not healthy. Those kinds of realities I don't think are healthy in this kind of society.

On the other side of town, I taught on the northwest side, out near O'Hare Airport, in a predominantly white high school, where the word nigger was second nature to a lot of people. They had never met black people long enough to know that there are some good and some bad and all those other things that you have to know to really relate to people in the real world, and for all that took place in the '50s, '60s and '70s, we just, in this city, produced another generation

of children from the public schools whose -- one of whose main educational experiences was the experience of total segregation, and that generation is now moving into their twenties and that's their understanding of reality.

REINHARDT: George Schmidt, a substitute teacher in Chicago. He's the head of SUBS, Substitutes United for Better Schools.

MERROW: Schmidt and others say it would be easy, though very expensive, to prove that blacks are deliberately segregated in Chicago, even in housing.

REINHARDT: But to persuade a federal court to order metropolitan desegregation involving city and suburbs requires proof of state action or of collusion by city and suburbs to segregate.

MERROW: And the courts have yet to be persuaded that proof of housing discrimination is cause to order school desegregation.

REINHARDT: Housing is the key, according to political scientist Gary Orfield. He studied housing segregation in Chicago and its suburbs.

GARY ORFIELD

ORFIELD: In fact, all of our central city neighborhoods and most of our inner suburbs were developed at a time when there was a public policy that virtually required residential segregation. Up until the late '40s, for example, the Federal Housing Administration would not insure a residential development unless it was built on a segregated basis. That was federal policy.

REINHARDT: The law actually said only blacks, only whites?

ORFIELD: Well, what it said was we won't give mortgage insurance unless development are built on a segregated basis, because we don't think that they're financially stable. So it was done as a financial kind of requirement, but it had the effect, and up until the late '40s there were restrictive covenants across the country which were enforced by state courts, which forbade owners in most white areas selling to any minority group, and that was supported by the power of the state. Those are just two of the aspects.

In almost all of our cities, our public housing has been built on a segregated basis. Most of the family housing is occupied by minority families and it's located right in the middle of minority segregated areas, and it's often located right next door to all minority segregated schools.

REINHARDT: What are you suggesting, then, that there might be one

built in the suburbs somewhere?

ORFIELD: Well, one of the things that I'm very interested in is the possibility of creating some more integrated neighborhoods so that we could exempt them from school desegregation plans that require bussing.

In many of our cities, we just have hardly any integrated neighborhoods. My proposal, in every case that I've worked on, is to exempt any neighborhoods that are actually stably integrated, and any neighborhood that becomes stably integrated in the future, to exempt them from bussing and give them a reward in essence. I think federal housing policy ought to address that issue.

Right now, even in many cities that are -- have desegregated schools, the federal government is upsetting the desegregation plan by locating housing in a segregated fashion or locating housing in places where it destabilizes integrated neighborhoods, and I think this is just insanity.

REINHARDT: Well, I'm wondering if that's true. If it's really housing and it's attitudes and all sorts of things, why should the schools have to do what society can't seem to do?

ORFIELD: Well, the schools shouldn't have to do it all. I mean we should have policies about job locations. We should have policies about housing and so forth and so on. The fact is, though, that the decision about what school a particular child attends is a decision that is a public decision, and it's wholly in the public sector and a federal court can look at a record of violations in schools and housing in a city or metropolitan area and can say, "Next month you will have integrated schools." And there are public authorities who can do that by reassigning students. You cannot look at a pattern of a half century of building ghettos and segregated housing and order people to live in an integrated fashion. It's just not in the public sector. We have no way to do it.

We have a lot of policies that could make this work out better over the long run, and we're not even working very well on those yet.

HERROW: Political scientist Gary Orfield.

REINHARDT: Jim Venema, an anti-bussing leader from Wilmington, Delaware, also hopes for more action from the federal government, but he expects it to take place in the Congress, which he says will soon act to limit what the government can do.

JIM VENEMA, AN ANTI-BUSSING LEADER

VENEMA: If nothing else brings forced bussing to an end, when

you open up Chicago, when you open up Philadelphia, when you open up Los Angeles, it's already been opened up; it's a failure and now they're trying to go for a metro system out there to compound the failure. But when you open up the major cities, New York and all of the major cities, that's going to stop forced bussing, because Congress can stop forced bussing, and when the constituents in those major metropolitan areas start climbing all over their Congressmen, which they don't do until a situation faces them, unfortunately, we almost have a clear anti-oussing majority in the United States House right now. It's only going to take a couple more votes and we can do the same thing in the United States Senate, and I think the 1980 elections are going to put us over the top in the United States House and conceivably over the top in the United States Senate. And this is why I say if the courts and the Congress and HEW -- no longer HEW, the Department of Education -- continue to press forced bussing, particularly at the metropolitan level, where you're going to have -- they all recognize it's a failure in the cities. It was supposed to be a great success in the cities, and what they're saying now is that it's a failure in the cities and to make it successful we have to spread the cancer. But when that happens, it's going to bring ungodly pressure on all members of the United States Congress, House and Senate, and that's when forced bussing will be brought to a screeching halt.

REINHARDT: Like Jim Venema, black lawyer Derek Bell is against bussing to achieve racial balance, but his emphasis is different.

DEREK BELL THINKS INTEGRATION MAY NOT BE IN THE BEST INTERESTS OF BLACK STUDENTS

BELL: We assumed that segregation, the separation of blacks and whites, was the main factor in preventing blacks from having the same quality of education as whites. I think what we have learned over these 26 years is that the separation was a convenient method of subordinating the educations of black kids to the educational quality provided for whites.

It wasn't the only method, and I think that in many, many desegregated situations where the schools are perfectly racially balanced, we nevertheless find those manifestations of subordination that mark the segregation schools. The black kids fall further and further behind the white kids the longer they stay in school. The black kids drop out earlier, go to college less, are disciplined more, and so on and so on and so on, down the line. So that what we find is that that aspect of racism which said, "Let's see what the white kid needs and provide that first and give the black kid whatever is left," doesn't disappear because children are going to the same schools.

REINHARDT: Perhaps the advocates of desegregation have overestimated what the schools can do. Robert Carter, who was an NAACP lawyer in the '50s and is now a federal judge.

CARTER: I think that as lawyers what we looked at, segregation, and we were attacking segregation, we thought it would solve the problem, and we were wrong in that, because it really wasn't just -- segregation was, as I've said before, it was a symptom of the disease, and the disease is white supremacy.

REINHARDT: Race against Time is the name we've given to this eight part Options in Education series on school desegregation. The printed transcript of all eight parts is available for $4.00.

MERROW: A set of the cassette recordings costs $18.00.

REINHARDT: Write to us at National Public Radio - Education, Washington, D. C. 20036.

MERROW: The printed transcript of all eight programs, desegregation in Virginia, Delaware, California, Illinois, North Carolina, South Carolina, Kansas and Washington, D. C., costs $4.00. The set of cassette recordings costs $18.00.

REINHARDT: When you write, ask for our schedule, and please tell us the call letters of your own local NPR station.

MERROW: Our address once more, National Public Radio - Education, Washington, D. C. 20036.

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MERROW: Some of the material for this program came from Andy Gilman in New York City, Barbara Bernhard in Seattle, Janet Bond in Urbana, Illinois, and Linda Wagner and Scott Simon in Chicago. I'm John Merrow.

REINHARDT: I'm Barbara Reinhardt.

MERROW: This is NPR, National Public Radio.